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IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 1977

No. 77 - 1072

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE, AND, ALFRED A. YEE & ASSOCIATES; STEPHANIE KOKERNAK; ROBERT G. HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE; BETTY VITOUSEK, JUDGE, and/or the FAMILY COURT of the FIRST CIRCUIT of the STATE OF HAWAII, AND/OR, NORITO KAWAKAMI, JUDGE, of the CIRCUIT COURT, FIRST CIRCUIT, STATE OF HAWAII; DR. BETTY ADAMS, PSYCHIATRIST, and/or HAWAII'S DEPARTMENT OF HEALTH, AND/OR, GERRY NAGAHISA, SOCIAL WORKER, and/or the ADULT SERVICE BRANCH of the STATE OF HAWAII'S FAMILY COURT, FIRST CIRCUIT; HAROLD NICKELSEN and/or CONROY, HAMILTON, GIBSON, NICKELSEN, & RUSH; JAMES E. KOSHIBA and/or the HAWAII STATE BAR ASSOCIATION; AND/OR ROBERT A. FRANKLIN;  
RESPONDENTS.

(FROM HAWAII SUPREME COURT CASE HSC #6529)

JOINT PETITION FOR DIRECT APPEAL FOR A REDRESS OF GRIEVANCES ACCORDING TO AMERICAN CONSTITUTIONAL LAW FOR PETITIONER PRO SE.

Janice Ching Yee  
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• PETITIONER PRO SE  
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Honolulu, Hawaii 96817

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**IN THE  
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vs.

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 ASSOCIATES; STEPHANIE KOKERNAK; ROBERT G.  
 HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE;  
 BETTY VITOUSEK, JUDGE, and/or the FAMILY  
 COURT of the FIRST CIRCUIT of the STATE OF  
 HAWAII, AND/OR, NORITO KAWAKAMI, JUDGE,  
 of the CIRCUIT COURT, FIRST CIRCUIT, STATE  
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 and/or HAWAII'S DEPARTMENT OF HEALTH,  
 AND/OR, GERRY NAGAHISA, SOCIAL WORKER,  
 and/or the ADULT SERVICE BRANCH of the STATE  
 OF HAWAII'S FAMILY COURT, FIRST CIRCUIT;  
 HAROLD NICKELSEN and/or CONROY, HAMILTON,  
 GIBSON, NICKELSEN, & RUSH; JAMES E. KOSHIBA  
 and/or the HAWAII STATE BAR ASSOCIATION;  
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 RESPONDENTS.

**(FROM HAWAII SUPREME COURT CASE HSC #6529)**

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**JOINT PETITION FOR DIRECT APPEAL FOR A REDRESS OF  
GRIEVANCES ACCORDING TO AMERICAN CONSTITUTIONAL LAW FOR PETITIONER PRO SE.**

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Petitioner Pro Se Janice Ching Yee, herein, Appeals with This "Joint Petition"; from the Final Orders of Hawaii's Supreme Court; to This United States Supreme Court, for Review and/or as a Direct Appeal for a Direct Grant and Order for same Petitioner's Petition on Petitioner's good Merits for a New Trial for same Petitioner's Legal Equal Right as a good American for Equal Protection of the Laws as Constitutional Law for Petitioner Pro Se Janice Ching Yee.

I. OPINIONS BELOW

Hawaii Supreme Court didn't accord a Hearing for Plaintiff-Appellant Pro Se Janice Ching Yee, whose case HSC #6529 should have been Heard and considered for same Appellant (Petitioner Pro Se) Janice Ching Yee's good Merits, not Defendants—Appellees' criminal Merits.

Instead, the Hawaii Supreme Court filed Orders for Dismissal: dated November 17, 1977, filed at 11:28, hereby appended as APPENDIX "A";

dated November 17, 1977, filed at 11:31, hereby appended as APPENDIX "B"; and

dated November 17, 1977, filed at 11:44, hereby appended as APPENDIX "C".

Hawaii Circuit Court's "Order Denying Motion To Reopen and Consolidate Cases Titled", affirmed by Hawaii Supreme Court's final Order dated Nov. 17, 1977 was filed March 7, 1977 at 11:43 a.m. and hereby appended as APPENDIX "CCC".

## II. JURISDICTION

Petitioner Pro Se Janice Ching Yee, herein, Appeals with this Joint Petition, according to UNITED STATES SUPREME COURT RULES, Rule 10-1&Rule 12-4; from Hawaii's Supreme Court, to this Supreme Court of the United States, for a Review and Direct Appeal for a Direct Grant and Order for Petitioner Pro Se's GOOD MERITS, authorized by Law, according to U.S.C.A. TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE, Section 1252, 1257(2), and 2101(c): wherefore 2403 may be applicable. (APP. "LAW", p.1) for a New Trial, according Rule 63 of FEDERAL RULES OF CIVIL PROCEDURE (APP. "LAW",p.2) and Legal Equal American Right for "Equal Protection by the Laws" for same Petitioner Pro Se Janice Ching Yee for a REDRESS OF GRIEVANCES FOR FREEDOM, FOR COMPLAINANT by "Discovery" of New Evidence, according to Rule 26(a and b-1) (APP. "LAW", p. 28 ) of Hawaii Supreme Court's "final judgment" "holding an Act of Congress Unconstitutional" for "Equal Protection of the Laws" for AMERICAN CONSTITUTIONAL "FREEDOM.. for a "speedy" AND fair "trial" FOR COMPLAINANT (as Plaintiff—Appellant Pro Se in Hawaii's Supreme Court)as same individual Petitioner Pro Se here; FOR, a "New Trial" "is required" against the Final Orders of the Hawaii Supreme Court, "where is drawn in question the validity of a" "statute of any state on the grounds of its being repugnant to the Constitution of the United States, and the decision", as the Final Order, "is in favor of its validity"; and thereof, a "New Trial" "is required" "in the interest of Justice," as a good word for a "REDRESS OF GRIEVANCES" for Petitioner Pro Se Janice Ching Yee, for fast Determination according to the UNITED STATES CONSTITUTION, AMENDMENT ONE for "FREEDOM" and "EQUAL PROTECTION OF THE LAWS", as protected by AMENDMENTS THIRTEEN and FOURTEEN, including specifically AMENDMENTS Four, Five, Eight, and Twenty-seven of the Constitution, (APPENDIX "LAW", page 3+) against the Orders and Judgments dated November 17, 1977 at 11:28 a.m., 11:31 a.m. and 11:44 a.m. respectively, hereby appended as APPENDIX "A", "B", and "C"; and entered in the lower Hawaii Supreme Court, which constituted "FRAUD" as a "disability" by Hawaii's Justices Richardson, Menor, Kobayashi, Ogata and substitute Chang; for Dismissals of Plaintiff—Appellant's timely Opening Brief whereof Dismissals contributed to

the lower Circuit Trial Court's Prejudiced Errors as "disabilities" and/or the lower Family Court Judge's incompetance as "disability" of vacillatory delay of sixty-three (63) months for an unsettled financial settlement for a simple divorce case.

This United States Supreme Court's Jurisdiction was invoked by:

- A. Hawaii Supreme Court's Final Orders "in favor" (APP. "A", "B" & "C") of the "validity" of Hawaii State Constitution's Article one, section eleven on the ground of its being repugnant" to the UNITED STATES CONSTITUTION, AMENDMENT FOURTEEN, for "Equal Protection of the Laws" for Complainant as Plaintiff—Appellant Pro Se, as same Petitioner Pro Se Janice Ching Yee for a "speedy", fair "trial", as EQUAL LEGAL RIGHT FOR COMPLAINANT, as same PETITIONER, against the "INEQUITIES" of HAWAII STATE CONSTITUTION's Article One, Section Eleven:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law, or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense."

†Hawaii Revised Statutes

Vol. 1, page 91

47 H. 361, 385, 389 p. 2d 439.

AND THE UNITED STATES CONSTITUTION'S unequitable SIXTH AMENDMENT (APP. "LAW", page 3 ) which should GRANT INNOCENT COMPLAINANT, same PETITIONER PRO SE JANICE CHING YEE, "EQUAL CONSTITUTIONAL RIGHTS", FOR "EQUAL PROTECTION OF THE LAWS", "holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States" "is a party"; WHEREFORE,†Hawaii's Family Court, as a member of HAWAII'S COURTS is a member of the UNITED STATES, in

footnote:

( Note APPENDIX "F-1" to APPENDIX "F-15" of case USSC No. 75-1429, filed April 7, 1976 in this SUPREME COURT of the U.S.)

its broadest sense, by way of U. S. Constitutional Law. Therefore, Hawaii's Family Court's Judge Betty Vitousek (et al), Respondent's "involvement", also committed "misconduct" by vacillatory delay caused by considering the unequitable Sixth Amendment for extreme "malicious abuse of judicial process" for restraintive, suppressive, oppression as "cruel and unusual punishment inflicted" as extreme "judicial financial enslavement" as "judicially enforced" "involuntary servitude" for "unfair competition" as deprivation of income and Legal American Rights for FREEDOM and FREE ENTERPRISE for innocent Complainant (as Petitioner, Here):

- 1) who hoped for a fast, private settlement for divorce earlier; so Complainant Janice Ching Yee didn't "enjoy the right to a speedy and public trial", whereof the Hawaii Family Court Judge Betty Vitousek took advantage of the situation and instigated and perpetrated extreme "vacillatory" delay of sixty-three<sup>63</sup> months against same Petitioner Pro Se for a fast, equitable financial settlement for a simple divorce case. Same Complainant won "final, absolute divorce" filed March 1, 1973, which is not settled yet, wherefore Hawaii Supreme Court's final Order of November 17, 1977 dismissed same Appellant's timely Appeal, including pleas for a Complete Financial Settlement for Plaintiff—Appellant Pro Se Janice Ching Yee as a capable American businesswoman.

Once down in Hawaii's Circuit Court, Judge Shintaku prejudicially dismissed the case against Judge Betty Vitousek, following Judge Norito Kawakami's prejudiced "Dismissals", as he threatened, of all of the other cases of Defendants (titled as Respondents) other than Respondent A. A. Yee, et al; which gave Defendants a "speedy" trial, which was not a jury trial or fair trial for Complainant, whereof the public seemed to be barred from the trials, or there were no outside witnesses allowed.

- 2) was not informed of the crime or cause for the illegal "guardian ad litem" (or "Court Commissioner" not dismissed yet) which was dismissed after fifteen months humiliation and harassment from Nov. 2, 1973 until Feb. 12, 1975, by Respondent Judge Betty Vitousek's "malicious abuse of judicial process" insinuating "incompetancy" or "spendthrift", which is both Perjuruous and "cruel and unusual punishment", against Amendment 8 (APP. "Law", page 3 ). Attorney General Ron Amemiya's office refused Expungement of this Illegal

"guardian ad litem" Defamation, Libel & Slander; as Malicious abuse of judicial process against Complainant Pro Se Janice Ching Yee, wherefore: Attorney General Amemiya's "Conflict is as Defendants—Appellees' (Respondents here) attorney, not as prosecution, as the position should intend, thereby making Attorney General R. Amemiya's "Conflict" as collusion or conspiracy for "fraudulent concealment" of Malicious "assassination" of Petitioner's good character, good reputation as a capable, innocent, American Woman Janice Ching Yee as a good name.

- 3) was not confronted by the "witness" of this heinous crime who was the "cause of the accusation", instigating perjurous incompetancy.
- 4) was not afforded "compulsory process for obtaining witness" in Complainant's "favor".
- 5) was not afforded assistance of counsel for "Complainant's defense" (?) or prosecution of Defendants, although requested and pled for in all Courts pled in; and/or being deprived of help by 158 lawyers of the Hawaii State Bar Association, as Respondents, who were told they could sign Affidavits &/or help, whereof the Hawaii Supreme Court clerks refused to file Amendments notifying members of Hawaii Family Court, Hawaii's Department of Health, or the Hawaii State Bar Association that they could sign Affidavits of non-involvement; for exclusion or exoneration from their particular case, hereby appended as APPENDIX "J", "K", and "L".

All of this was compounded by Respondent Judge Harold Shintaku (as a malfeasant member of the Hawaii State Bar Association) and Respondent Judge Norito Kawakami who was Prejudiced and Biased and stated his Prejudice and Bias, previous to any hearing in the Hawaii Circuit Court, of Complainant's cases, all of which should not have been dismissed by Shintaku and Kawakami, who committed "Fraud", as did Judge Betty Vitousek, against the CONSTITUTION of the UNITED STATES and/or of HAWAII for "Equal Protection of the Laws" for a "Redress of Grievances" for same Petitioner Pro Se. Same Petitioner Petitions and Appeals from Hawaii Supreme Court's final Order, which also constituted "Fraud" since Hawaii's lower Court also, by its final Order and "decision" was "in favor of" the "validity" of Article One, Section Eleven of the Constitution of the "state" of Hawaii which invoked the Jurisdiction of this Court "on the ground of" the

Statute "being repugnant to the Constitution" "of the United States" for Complainant as Plaintiff—Appellant Pro Se as Petitioner Pro Se whose good Merits for claims for a "Redress of Grievances" for same, as a capable innocent American woman Janice Ching Yee who didn't commit crime and deliberate sin should not be ignored or deprived by the INEQUITIES of HAWAII STATE CONSTITUTION'S Article One, Section Eleven, which is "repugnant" and "invoked" This Court's jurisdiction for the FOURTEENTH AMENDMENT of the UNITED STATES CONSTITUTION for "Equal Protection of the Laws" for same Petitioner Pro Se Janice Ching Yee and for AMENDMENT ONE for FREEDOM for Legal American Right for "RELIEF OF ORDER, hereby appended as APP. "LD" which the clerks of the Hawaii Supreme Court refused to file, upon Order by the Court's Justices, which then unconstitutionally prohibited even the filing of a "Motion for Rehearing" or "Hearing", as the case was, since there wasn't any Hearing for Plaintiff—Appellant Pro Se who should have been considered, for seven (7) of the cases of this one big case of nine (9) cases was won by Plaintiff—Appellant Pro Se Janice Ching Yee whose "Notice of Entry of Default" was denied filing by the HSC clerks, for the Defendants—Appellees actually defaulted and should not have been heard, and should not have been considered for their unconstitutional criminal merits, compounded by insufficient defenses; wherefore Hawaii Supreme Court should not have concentrated on the INEQUITABLE Article One, Section Eleven of HAWAII STATE CONSTITUTION, for "a speedy" "trial" for Defendants—Appellees whereof the lower Court was so "speedy", by their standards, it forgot Plaintiff—Appellant Pro Se and Appellant's good Merits for Claims for "A Redress of Grievances", for Constitutional Law for "Equal Protection of the Laws" and "Due Process of Law" for same Petitioner Pro Se Janice Ching Yee, who should have received Approval for filing and then should have been granted "RELIEF OF ORDER", according to HAWAII RULES OR FEDERAL RULES OF CIVIL PROCEDURE. Rule 60(b)(1)(2)(3)(4) and (6) (APPENDIX "LD"), whereof Hawaii Supreme Court's Orders (APP. "A", "B" & "C") were illegal threats for "criminal coercion" of extra imposed costs as a threat against ASSERTION of PLAINTIFF—APPELLANT PRO SE's (PETITIONER PRO SE here) Legal American Constitutional Rights for a REDRESS OF GRIEVANCES FOR PRO SE JANICE CHING YEE FOR FREEDOM BY EQUAL PRO-

TECTION OF THE LAWS FOR RESTITUTION, AS MONE-TARY RELIEF AND JUDICIAL RELIEF AS EXPUNGEMENT OF PERJUROUS LIBELOUS MATTER AGAINST SAME PETITIONER, whose "Motion for Relief" was timely, presented November 21, 1977. This unfiled timely "Motion for Relief", Appended as APP. "LD" was then published this date and confirmed by JCY\*'s pending Copyright (c) by Janice Ching Yee 1977, and confirmed further by delivery of copies to all Defendants—Appellees, on this date, signed for by them or certified postmarked to them, leaving on this Nov. 21, 1977, also, ten (10) copies divided evenly for the Hawaii Supreme Court Justices; the original to the Chief Justice, whereof all Justices were requested by letter (appended as APP. "LA") to approve filing denied by the clerks; whereof to this date all ignored the request. The Original "APPEAL" for Pro Se was to "REOPEN AND CONSOLIDATE ALL CASES TITLED AND/OR APPEAL AGAINST DENIAL OF JURISDICTION BY THE LOWER CIRCUIT COURT (wherefore frivolous Judge Arthur Fong, denied his Jurisdiction to Reopen there, coercing extra expenditures) TO REOPEN AND CONSOLIDATE CASES TITLED, BOTH, ACCORDING TO HRS\* CHAPTER 657–20; (APPENDIX "L "LAW", page 20 )FOR QUESTIONS OF LAW AND FACT ALSO", against Respondents' as Appellees' (in Hawaii Supreme Court) "conspired", "fraudulent concealment" of suppressive, restraintive, perjurous oppression for "prejudiced persecution" by "judicially violent" "malicious abuse of judicial process" for "Deceptive" Deprivation, Defamation, Libel, Slander and Perjury for the "fraudulent concealment" of "malicious" "assassination" of Petitioner's good character, reputation, and name Janice Ching Yee; against this "coerced anomie" and "coerced ignominy" caused by the various Courts' Deprivation of American Constitutional Rights for same Petitioner Pro Se against these various Court Denials and Dismissals as "Decisions", which were "in favor of" the "validity" of Hawaii State Constitutions Article 1, Section 11, which "invoked" the Jurisdiction of This Court, for AMENDMENT ONE for "FREEDOM" and/or AMENDMENT TWENTY-SEVEN for "EQUAL RIGHTS" and/or AMENDMENT FOURTEEN for "EQUAL PROTECTION OF THE LAWS", against the Hawaii Supreme Court's final Orders which

\*Hawaii Revised Statutes

also contradicted the Hawaii Supreme Court acknowledgment of "Default" (APP. "Law", HRS, 636 (1 and 11) p.17 by:

Defendants—Appellees Edward Y. C. Chun, et al, on August 15, 1977; as notified by letter from the clerk of the HSC†, dated August 22, 1977 appended as APPENDIX "D"; but the lower Court erroneously or intentionally in Conflict, let Defendants—Appellees' attorneys file a "Motion for Dismissal" illegally on August 29, 1977, which should not have been considered or heard by the lower Court.

Defendants—Appellee Stephanie Kokernak on August 15, 1977, as notified by letter from the clerk of the HSC† dated August 22, 1977, appended as APPENDIX "E" and should not have been heard or considered by the lower Court.

Defendants—Appellees Robert A. Franklin on August 15, 1977, as notified by letter from the clerk of the HSC† dated August 22, 1977, appended as APPENDIX "F" and should not have been heard or considered by the lower Court.

Defendants—Appellees Alfred Alphonse Yee, et al, on August 15, 1977 WHO WAS NOT notified by the clerk Clement Chun, of the HSC† whose Conflict or Incompetance refused to acknowledge the Document Clerk Millie's "inadvertant error" of omitting attorney Edward Y. C. Chun's name as counsel for Appellees Alfred Alphonse Yee, et al; which error could have been corrected then and there, notifying Defendants—Appellees Alfred Yee, et al, BUT, it wasn't done by the Clerk Chun, and even after the error was corrected on August 31, 1977, the clerk refused to record and notify Defendants—Appellees Alfred Alphonse Yee, et al, they "Defaulted"! They should not have been heard or considered by the lower Court, who then committed "Fraud" as discussed earlier.

Defendants—Appellees Robert G. Hogan, et al, neglected to file an Answering Brief, due August 15, but filed

a "Motion for Dismissal" late on August 16, 1977, which was accepted for filing, whereupon they were not notified of their "Default".

Defendants—Appellees Harold Nickelsen, et al, also neglected to file an Answering Brief, due August 15, but filed a "Motion for Dismissal" late on August 16, 1977, which was accepted for filing, whereupon they were not notified of their "Default".

Defendants—Appellees James E. Koshiba, and/or the Hawaii State Bar Association, also neglected to file an Answering Brief, due August 15, 1977, but filed a "Motion for Dismissal" late on August 16, 1977, which was accepted for filing, whereupon they were not notified of their "Default".

Although these last three cases were late, a "Motion to Strike Defendants—Appellees' Motion to Dismiss", etc., was filed by Appellant, fearing penalty for non-rebuttal, seeing the lower Supreme Court's prejudice was so evident for Defendants—Appellees, who should not have been heard, according to the HAWAII SUPREME COURT RULES, Rule 3 (c & f) (APPENDIX "Law" page 5 ) and/or the lower Supreme Court should not deprive Plaintiff—Appellant Pro Se Janice Ching Yee of a Hearing for Appellant's good Merits for Claims for Restitution against "damages incurred" by all Defendants—Appellees, which is appended as APPENDIX "E(a)" to APPENDIX "E(i)" in Petitioner's earlier Petition No. 75-1429, filed April 7, 1976 in This Court and denied. Might the Justices of this Court find time to please Review and Consider it also as part and parcel of Petitioner's Appeal for this Petition for Redress of Grievances as Restitution, with an eye for projection excusing the lack of funds to include a more recent Summary of "Damages Incurred", as projected in Pro Se's "Motion to Reopen and Consolidate", as filed in Hawaii's Circuit Court on February 14, 1977, and presented again in Plaintiff—Appellant Pro Se's Opening Brief in Hawaii Supreme Court, filed August 15, 1977. (APP. "tCR-CON", p.1)

B. Hawaii Supreme Court's final Orders, filed November 17, 1977, &/or "decision" which was "in favor of" the "validity" of HAWAII REVISED STATUTES, Chapter 751-10; which invoked the Jurisdiction of This Court; "on the ground of" the Statute "being repugnant to the Constitution" "of the United State"'s Fourteenth Amendment for Complainant as Petitioner

Pro Se Janice Ching Yee for "Equal Protection of the Laws" against "immunity" without "reason", as a good word, should not be accorded State workers who Abuse their positions of trust by "Prejudice" and "Malice" as Respondent Judge Norito Kawakami, who is liable, and should be punished; and/or Respondent Judge Harold Shintaku, who is liable, and should be punished; since he followed as Kawakami's substitute; and/or Respondent Judge Betty Vitousek who is liable for "judicial violence" as prejudiced, abusive, restraintive, suppressive, oppressive malicious abuse of judicial process, which makes the HAWAII REVISED STATUTES, Chapter 751-10 "repugnant to the Constitution of the United States" and its Amendment Fourteen for "Equal Protection of the Laws" for FREEDOM as protected by Amendment One, and Amendment Four against Illegal "searches" of the mind by unnecessary psychiatric sessions under "duress" by "criminal judicial coercion" of extreme deprivation by Judge Betty Vitousek, who decreased the alimony to less than half of fixed expenses, without mercy, which has been raised but not raised to her maximum amount ordered which was 2/3 of fixed expenses of normal living accustomed to for Petitioner for more equitable distribution of income and faster financial settlement, and was instead denied any pleadings, as threatened by Judge Betty Vitousek in Section 1 & 3 of her unconstitutionally "cruel and unusual" punishing "Eighth Supplemental Decision and Order", ("tCR", p. 445-447 and APP. "F13" of USSC No. 75-1429) unless her order of unnecessary sessions to the psychiatrist was followed, under duress, for coercion of a record of psychiatric mental illness, against same individual Petitioner Pro Se Janice Ching Yee, as a very capable, stable woman, for a Redress of Grievances against this "Conspired Malice" by the Respondents for "fraudulent concealment" of Malicious "Assassination" of Petitioner's good character, good reputation, and good name Janice Ching Yee, against Perjured intentional abusive "severe chronic mental illness" Reports by Respondent Dr. Betty Adams, the court psychiatrist who is liable, and/or, Respondent social worker Gerry Nagahisa, who is liable, for perjury, which was maliciously accepted by malfeasant Respondent Judge Betty Vitousek, who perjured against the Hawaii Lawyer's Oath "to uphold the Constitution of the United States and the Laws of Hawaii"; whereof, instead, Judge Betty Vitousek who is liable, as a Family Court Judge, "fraudulently" "concealed" her "Deceptive" "Malicious" intent for "assassination" of Peti-

tioner's good character, reputation and name, against the traumatic humiliation of "judicial financial enslavement" and "deprivation" as a "criminal" or "incompetant", compounded by Dismissal by Malfeasant Respondent Judge Kawakami or Respondent Judge Shintaku of Complaints against these Defendants (Respondents); OR, Denial of Jurisdiction against Respondent Judge Betty Vitousek by Disciplinary Counsel Jung Lowe of the Hawaii Supreme Court, who forgot the HAWAII SUPREME COURT RULES JUDICIAL CODE, or the HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITIES' ETHICAL CONSIDERATION 7-21 against "malicious abuse of judicial process" to "coerce lesser settlements", whereat Respondent Lowe (as a member of the Hawaii State Bar Association) transferred the Complaints to Hawaii's Supreme Court who dismissed these Complaints by the Dismissals of the Final Orders.

Might this U. S. Supreme Court Grant a New Trial for Petitioner Pro Se against the "disability" as prejudiced "collusion" by the Hawaii Judiciary members mentioned according to Rule 63 of Federal Rule of Civil Procedure (APP. "Law" page 2) and HRS 601-7 (page 15), compounded by the Hawaii Supreme Court's Unconstitutional affirmation of the judgments of these Respondents, hiding criminal acts under the guise of their position of trust, by their final Orders, which "decisions" were "in favor of" HAWAII REVISED STATUTES, Chapter 751-10, (p.20) which "invoked" the Jurisdiction of This United States Supreme Court; "on the ground of" the statute "being repugnant against the Constitution of the United States" and its Amendment Fourteen, Amendment Twenty-seven, Amendment One, and Amendment Four (APP. "Law", page 3) for "Equal Protection of the Laws" for "FREEDOM", for "Equal Right" for Petitioner Pro Se "to be secure in" "person, house, papers, and effects, against unreasonable searches" of Petitioner's reasonable and sound mind.

As further Jurisdiction, This United States Supreme Court can GRANT PETITIONER PRO SE\* JANICE CHING YEE's DIRECT APPEAL AND PETITION for a NEW TRIAL and GRANT SAME PETITIONER JCY\* A REDRESS OF GRIEVANCES, Direct against the "Inequities" of the HAWAII STATE CONSTITUTION, Article One, Section Eleven, compounded by the "double Jeopardy" of consideration of "Inequities" of and

+HAWAII REVISED STATUTES.

Unconstitutional "act of Congress" Ratifying and Approving  
AMENDMENT Six of the U. S. CONSTITUTION, and/or  
for AMENDMENT FIVE for SAME PETITIONER PRO SE JCY\*.

For further evidence of the "inequities" of these Statutes, which in reverse, caused "Delay" as "Coercion for non-assertion of Legal American Constitutional Rights" for same Petitioner, who should have "Equal Protection" by AMENDMENT FOURTEEN; Petitioner Pro Se\* Janice Ching Yee presents indexes of the Record(s) on Appeal for This Case of nine (9) consolidated cases, including mention of Unfiled, Timely "Motions" and Pleadings, which were pertinent for MERITS FOR PETITIONER'S CLAIMS for RELIEF, as pled, hereby appended as:

APPENDIX	"tCR	vs.	AY"
APPENDIX	"tCR	vs.	SK"
APPENDIX	"tCR	vs.	RGH"
APPENDIX	"tCR	vs.	EC"
APPENDIX	"tCR	vs.	BK"
APPENDIX	"tCR	vs.	NA"
APPENDIX	"tCR	vs.	HN"
APPENDIX	"tCR	vs.	KHSBA"
APPENDIX	"tCR	vs.	BAF"

with Petitioner's good intention of obtaining certification stopped by the Hawaii Supreme Court clerks' refusal to certify "the Court Record" (tCR) as presented here.

This is proof of Petitioner's MERITS FOR CLAIMS FOR A REDRESS OF GRIEVANCES against Damages Incurred, as loss of TIME, caused by the "inequities" of the U. S. CONSTITUTION's Sixth AMENDMENT and/or the H. S. CONSTITUTION's Article One, Section Eleven, which caused delay of seventy-five (75) months of continuous living as financially accustomed, as a free American woman, Janice Ching Yee, as a good citizen without the "trauma" of losing Legal American Rights and income earned by working twenty (20) intense years to build a foundation for business and private life for continuing income for a life of luxury as Goal, and for complete financial settlement to include restitution as a Redress of Grievance.

Might This Court please include pleadings from petitioner's earlier case USSC No. 75-1429, as part and parcel of evidence of MERITS FOR PETITIONER's CLAIMS; noting especially Petitioner's April 7, 1976, filed "Joint Petition for Writ of Certiorari to the Supreme Court of the United States, which should

have been "Joint Petition for Writ of Certiorari to the Supreme Court of Hawaii", excuse this "inadvertant error" and "neglect"; but note also in this "Joint Petition", No. 75-1429, filed April 7, 1976; its APPENDIX "A(3)(a)", "A(3)(b)", and particular APPENDIX "A(3)(a)(b)(c) and (d)" for Petitioner's Contents of "the Record on Appeal" as evidence of time expended as damages incurred of loss of time caused by the "inequities" mentioned.

Both Parties of all cases are Residents of the State of Hawaii. Petitioner Pro Se\* Janice Ching Yee's NOTICE OF APPEAL was filed in time on November 31, 1977, in the Hawaii Supreme Court and has been hereby appended as APPENDIX "I".

NOTICE OF APPEAL to Hawaii Supreme Court from Hawaii Circuit Court, filed March 7, 1977, is appended as APPENDIX "H-a"; and SUPPLEMENTAL NOTICE OF APPEAL to Hawaii Supreme Court from Hawaii Circuit Court, filed July 5, 1977, is appended as APPENDIX "H-b".

Might This Court please excuse the length of This Jurisdiction for the United States Supreme Court; for its necessity for better understanding of the pertinence of This petition for same Petitioner Pro Se JCY\*, according to USCA, Title 28, Section 1252, 1257(2), and 2102(c); wherefore 2403 may be applicable.

May U.S.S.C. Rules, Rule 13 please apply for timeliness of This Petition.

Also, not finding any other cases to sustain the Jurisdiction, might This United States Supreme Court please GRANT PETITIONER PRO SE JANICE CHING YEE this precedent.

### III. STATUTES INVOLVED + \*

All PERTINENT LAWS included (as APPENDICES) in Plaintiff–Appellant Pro Se\* Janice Ching Yee's Opening Brief in Hawaii's Supreme Court, are hereby Appended as APPENDIX "LAW" for same Petitioner's "JOINT PETITION" for a Redress of Grievances for same individual Petitioner Pro Se JCY\*.

The Constitutional and Statutory Provisions most specifically involved in this "JOINT PETITION" of nine (9) cases are:

- A. THE UNITED STATES SUPREME COURT RULES (p. 1 )  
and its RULES: 10-1;12-4;13;15
- B. THE UNITED STATES CONSTITUTION (p. 3 )  
AND its AMENDMENTS: ONE, FOUR, FIVE, SIX, EIGHT, THIRTEEN, FOURTEEN, and TWENTY-SEVEN, specifically, but not excluding any others pertinent.
- C. FEDERAL RULES of CIVIL PROCEDURE (p.2)  
AND ITS RULES: 26 (a and b-1)  
60(b)(1)(2)(3)(4) and (6)  
63
- D. THE HAWAII STATE CONSTITUTION(p. 9 – 12 )  
AND its ARTICLE ONE: Section: one, two, three, four, six, eight, nine, eleven and twenty-one.  
AND its ARTICLE FOURTEEN: Section: four and five;  
AND its ARTICLE SIXTEEN: Section two.
- E. THE HAWAII REVISED STATUTES, (p.12–24 )  
AND its CHAPTERS: 657–20, 387–4, 425–118, 480–2, 490:1–106, 571–52.1, 571–54, 571–55, 571–56, 571–57, 601–7, 602–5, 605–2, 634–3, 641–4, 641–24, 656–3, 701–4, 702–11, 702–12, 704–1, 704–2, 704–3, 704–4, 704–5, 728–1, 728–2, 728–3, 728–6, 741–1, 747–1.8, 751–1, 756–1, 806–21, 806–22, 831–3.2

\* APPENDIX "LAW", all pages.

- F. TITLE 37: HAWAII PENAL CODE (p.25–27 )  
AND its CHAPTERS: 705–520, 705–521, 705–522, 705–525, 707–724, 708–801, 708–813, 708–815, 710–1040, 710–1060, 710–1061
- G. HAWAII RULES OF CIVIL PROCEDURE (p. 27– 29)  
AND its RULES: 18(a & b), 19(a)(1)(a), 26(a & b)(1), 42(a), 56(a), 73.
- H. HAWAII SUPREME COURT RULES (p.4–5 )  
AND its RULES: (1(a)(1), 2(c & d), 3(c & f), and 19.
- I. HAWAII SUPREME COURT RULES (p. 5–7 )  
CODE OF PROFESSIONAL RESPONSIBILITY's  
ETHICAL CONSIDERATIONS: 2–27, 2–28, 2–30, 7–5, 7–21, 7–22.
- J. HAWAII SUPREME COURT RULES' CODE OF JUDICIAL CONDUCT (p. 7–9 )  
AND its CANONS: ONE, TWO, THREE, AND FOUR;
- K. AND MOST IMPORTANT HERE, the UNITED STATES CODE, TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE  
1252, 1257(2), and 2101(c); wherefore 2403 may be is applicable; applicable. (p.1)  
AND ARE HEREBY REPRINTED AND APPENDED AS "APPENDIX LAW" in This PETITION.

#### IV. STATEMENT OF QUESTIONS PRESENTED

1. WHY DOES HAWAII SUPREME COURT NOT BELIEVE IN A "SPEEDY" OR "FAIR" "TRIAL FOR COMPLAINANT" AS PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE, WHO PLED SO LONG FOR "FREEDOM"; BY A COMPLETE FINANCIAL SETTLEMENT FOR DIVORCE AND/OR A REDRESS OF GRIEVANCES AGAINST DAMAGES INCURRED; AND SHOULD NOT BE DELAYED SIXTY-THREE (63) VACILLATORY, SUPPRESSIVE, RESTRAINTIVE, DEPRIVING, FINANCIALLY ENSLAVING MONTHS IN HAWAII'S LOWER FAMILY COURT SINCE THE CASE FC-D #81258 WAS FILED; AND SHOULD NOT SUFFER DISMISSALS AS DELAY AND DEPRIVATION BY THE LOWER HAWAII CIRCUIT COURT OR LOWER HAWAII SUPREME COURT?
2. WHY DOES HAWAII SUPREME COURT NOT BELIEVE IN JUSTICE, AS A GOOD WORD, OR AMERICAN CONSTITUTIONAL LAW FOR COMPLAINANT, AS PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE, A GOOD, INNOCENT, CAPABLE, AMERICAN WOMAN, WHO DIDN'T COMMIT ANY SINFUL CRIMES, AND/OR, SHOULD NOT BE MADE A MARTYR?
3. WHY DOES HAWAII SUPREME COURT NOT RESPECT PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE's PERTINENT, HONEST PLEADINGS, AS A "LEGAL" PRIVATE "PRO SE", WHO, FROM NECESSITY, PLEADS FOR SELF BY JURISDICTION OF HAWAII FAMILY COURT RULES, RULE 91(a) AND HAWAII REVISED STATUTES.  
CHAPTER 602-5 (APPENDIX "LAW", p. 29 & p. 15 )  
WITH REAL GOOD MERITS FOR SAME INDIVIDUAL FOR CLAIMS FOR A REDRESS OF GRIEVANCES AGAINST DAMAGES INCURRED BY DEFENDANTS-APPELLEES' "FRIVOLOUS" PERJURY, AMONG MANY OTHER UNCONSTITUTIONAL CRIMES, MENTIONED, FOR "FRAUDULENT CONCEALMENT" OF "ASSASSINATION" OF SAME APPELLANT'S GOOD CHARACTER, GOOD REPUTATION, AND GOOD NAME JANICE CHING YEE.
4. WHY DOES \*HAWAII SUPREME COURT COMMIT "FRAUD" BY ITS FINAL "DISMISSALS", WHICH CONTRIBUTED TO THE LOWER FAMILY COURT JUDGE BETTY VITOUSEK'S "FRAUD", WHICH WAS COMPOUNDED BY THE LOWER CIRCUIT COURT'S PREJUDICED JUDGE NORITO KAWAKAMI'S "CRUEL AND UNUSUAL" DISMISSALS, WHICH IMPOSED COSTS AGAINST COMPLAINANT AS PLAINTIFF PRO SE JÁNICE CHING YEE AGAINST THIS "FRAUD"; OR PREJUDICED JUDGE HAROLD SHINTAKU'S CONTRIBUTORY "FRAUD" AGAINST THE HAWAII STATE CONSTITUTION OR THE UNITED STATES CONSTITUTION, AS PLED, FOR SAME PETITIONER WHO NEVER INTENDS PERJURY OR FRIVOLITY AS THE HSC\*'S FINAL ORDERS FOR "DISMISSAL", WHICH "AFFIRMED" AND COMPOUNDED THE LOWER TRIAL COURTS' SUPPRESSIVE, RESTRAINTIVE, OPPRESSION BY WORSE CRIMINAL COERCION BY "CRUEL AND UNUSUAL" THREAT OF EXTRA COSTS IMPOSED AS PENALTY FOR ASSERTION OF LEGAL AMERICAN RIGHTS FOR SAME PETITIONER PRO SE JANICE CHING YEE FOR A REDRESS OF GRIEVANCES.
5. WHY DOES HAWAII SUPREME COURT NOT BELIEVE IN "EXPUNGEMENT" FOR PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE OF ANY DEFAMATORY, LIBELOUS, SLANDEROUS, PERJUROUS MALICIOUS ABUSE OF JUDICIAL PROCESS; AS ACCEPTED PERJURED REPORTS AND TESTIMONY AND/OR OTHER FILED PERJUROUS, LIBELOUS ORDERS, DECREES, OR JUDGMENTS?

\*HAWAII SUPREME COURT

V. QUESTIONS TO BE CERTIFIED IN THE LOWER  
HAWAII SUPREME COURT  
(PLAINTIFF APPELLANT PRO SE's OPENING BRIEF,  
filed June 16, 1977 at 4:22 p.m.)

1. WHY DIDN'T JUDGE FONG OF THE LOWER CIRCUIT COURT HAVE JURISDICTION TO HEAR PLAINTIFF (APPELLANT) PRO SE's "MOTION TO REOPEN AND CONSOLIDATE CASES TITLED, ACCORDING TO HRS, CHAPTER 657-20, AT THE MARCH 1, 1977 HEARING, AND/OR GIVE PLAINTIFF A DAY FOR HEARING OF PLAINTIFF'S "NOTICE OF MOTION" FOR "MOTION TO RECONSIDER PLAINTIFF'S "MOTION TO REOPEN AND CONSOLIDATE CASES TITLED" ", etc?

2. WHY DOESN'T HAWAII'S SUPREME COURT BELIEVE IN AMERICAN CONSTITUTIONAL LAW FOR PLAINTIFF APPELLANT PRO SE, AND/OR REVERSE ITS PREVIOUS AFFIRMATION OF THE LOWER TRIAL COURTS' PREJUDICED ERRONEOUS HARMFUL DECISIONS, JUDGMENTS, AND ORDERS?

3. CAN HAWAII SUPREME COURT ORDER A FAST REASONABLE RELIEF AS RESTITUTION AS DETERMINATION OF CASES FOR PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE AGAINST 57 MONTHS VACILLATORY DELAY IN THE LOWER FAMILY COURT AS COERCION FOR SUPPRESSED OPPRESSION FOR NON-ASSERTION OF APPELLANT'S LEGAL RIGHTS?

4. WHY DOESN'T HAWAII SUPREME COURT AS THE JUDICIAL BRANCH OF HAWAII'S GOVERNMENT GIVE PLAINTIFF-APPELLANT PRO SE JANICE CHING YEE A REDRESS OF GRIEVANCES FOR RESTITUTION FOR CONFIRMATION OF RESPECT FOR SAME APPELLANT AS A GOOD, CAPABLE INDIVIDUAL AMERICAN WOMAN, WHOSE INDIVIDUAL AMERICAN CONSTITUTIONAL RIGHTS SUFFERED VIOLATIONS BY NINE CASES OF UNCONSTITUTIONAL VIOLATORS?

5. WHY DOESN'T THE UNITED STATES SUPREME COURT BELIEVE IN AMERICAN CONSTITUTIONAL LAW FOR PETITIONER-APPELLANT PRO SE JANICE CHING YEE AND/OR MAKE CONSISTENT RULINGS?

6. HOW COME THE COURTS DO NOT APPLY THE STATE'S MERIT TYPE PRINCIPLE FOR PUBLIC OFFICES AND EMPLOYEES FOR MERITS FOR EQUITABLE SETTLEMENTS FOR DIVORCES OF ANY KIND?

THESE "QUESTIONS" (BELOW) and "POINTS OF ERROR" PRESENTED IN PLAINTIFF-APPELLANT PRO SE's "MOTION TO AMEND OPENING BRIEF TO INCLUDE ADDITIONAL QUESTIONS, POINTS OF ERROR, AND ARGUMENTS FOR APPELLANT" WERE PRESENTED JULY 5, 1977 AND REFUSED FILING BY THE HAWAII SUPREME COURT CLERKS; AND THE JUSTICES IGNORED LETTER REQUESTING "APPROVAL" FOR FILING, DATED July 5, 1977.

ATTORNEY RALPH COREY WAS A WITNESS TO THE REFUSAL. THESE "QUESTIONS" WERE AGAIN REFUSED, AND DELETED AS "EXHIBITS" FROM "APPELLANT'S MOTION TO STRIKE MOTION FOR DISMISSAL BY APPELLEES; (NAGAHISA, ET AL, &/OR ADAMS, ET AL; AND/OR VITOUSEK, ET AL, &/OR KAWAKAMI) AND/OR, IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY\*\*"; FILED AUGUST 8, 1977 AT 11:57 A.M.; OR THE CLERKS WOULD NOT FILE THE "MOTION", quote:

"FOR PLAINTIFF-APPELLANT PRO SE JCY'S OPENING BRIEF, #6529:

II. STATEMENT OF QUESTIONS PRESENTED  
(ADDITIONAL)

7. WHY DOES JUDGE VITOUSEK NOT BELIEVE IN PROTECTION FOR PLAINTIFF (APPELLANT) PRO SE JANICE CHING YEE.

8. WHY DOESN'T HAWAII'S LOWER FAMILY COURT NOW REPLACE JUDGE BETTY VITOUSEK WHO IS PREJUDICED AND BIASED FOR DEFENDANTS (APPELLEES) ALFRED ALPHONSE YEE, ET AL, AS VILLAINS?

**IV. . . . . POINTS OF ERROR  
(ADDITIONAL)**

7. HAWAII'S LOWER FAMILY COURT JUDGE BETTY VITOUSEK SHOULD NOT BE PREJUDICED AND BIASED FOR DEFENDANTS (APPELLEES) ALFRED ALPHONSE YEE, ET AL, WHO WAS AT FAULT AS VILLAINS, AND/OR, WHO SHOULD BE PUNISHED INSTEAD OF PLAINTIFF (APPELLANT) PRO SE JCY, WHO SHOULD HAVE "EQUAL PROTECTION BY THE LAWS".

8. HAWAII'S SUPREME COURT'S CHIEF JUSTICE RICHARDSON, AS THE STATE'S HIGHEST RANKING JUDICIAL OFFICER, SHOULD DISQUALIFY OR DISMISS JUDGE BETTY VITOUSEK AND/OR FIND ANOTHER JUDGE TO REPLACE JUDGE BETTY VITOUSEK WHO IS PREJUDICED AND BIASED FOR DEFENDANTS (APPELLEES) AAY, ET AL, AND STATED HER PREJUDICE, "I'M SORRY I CAN'T HELP YOU"! "unquote.

**VI. STATEMENT OF FACTS**

Complainant's Complaints were filed on September 14, 1972, by (Respondent) Robert G. Hogan, et al, once Complainant's ex-attorneys, for Complainant as Plaintiff Janice Ching Yee, whose original Complaint was titled Janice Yee, and corrected subsequently since there was confusion of others with a similar name.

Complainant sued Defendant ex-husband Alfred Yee for "Irretrievable Differences", caused by physical violence, caused by dissention, caused by the maidservant Respondent Stephanie Kokernak, who refused to move after Complainant Janice Ching Yee fired her insisting she was hired by the Company Alfred A. Yee & Associates and insubordinately refused to move unless "they" told her; even after same Complainant gave evidence of cancelled checks for her wages were from Complainant's checkbook. Respondent Stephanie Kokernak was then "guilty" of "trespass", and she was also told she was the cause of dissention, causing divorce talk. She still uncompassionately refused to move. Respondent Kokernak's strange behavior as standing in Complainant's bathroom, to watch Complainant sleep, was unnerving to say the least. Respondent Kokernak's strange behavior included walking through the Library in a corner of Complainant's two-story house, about eight times in about half an hour, while Complainant was trying to write a "Fast Gourmet" cookbook, finally published May 23, 1977. This was in 1971 and 1972. Therefore, Respondent Kokernak's Affidavit was perjured.

Complainant as Plaintiff won Final Absolute Divorce on February 12, 1973, filed March 1, 1973, after a Social Study and "perjured" Report by Social Worker (Respondent) Gerry Nagahisa of the Family Court's Services Branch, wherefore her Report contributed to and reiterated "defamatory", "libelous", "Perjury" by Defendant-Respondent Alfred Alphonse Yee, et al, whose original title was Alfred Yee, corrected to include his original name for identification purposes and to include his Company Alfred A. Yee & Associates, who does owe Complainant Janice Ching Yee a Redress of Grievances, including "severance pay" and restitution against "damages incurred", compounded by their deliberate conspiracy or collusion for delay for deprivation of income or repayment of loan or delay for coercion for non-assertion of Complainant's Legal Right to collect a Complete Financial Settlement for divorce against their principal Alfred Alphonse Yee of Alfred A. Yee & Associates, who "extorted" 19-20 years of work out of Complainant as

a silent partner once; whereof their delay and deprivation constitute "unconstitutional" "unfair competition". (APP. "LAW", HRS, Chapt. 728-1,2,3, & 6; 741-1; 747-1, 705-520, 521,522, 525, 806-21,22, 634-3; 387-4; 480-2; 425-118; HR of CP, Rule 18;19(a)(1).(p.12-23, 27) and unpaid compensation.

Complainant Janice Ching Yee also won "temporary" custody of the children and \$1000 a month, plus maintenance and mortgage and groceries, which totaled about \$2200.00 a month, if fought for all the way. Upon further Complaint of "unequal" distribution of income of \$8333.33 per month of salary for Defendant Alfred Yee, the individual; the Custody was taken away, and reverted to Defendant (Respondent) Alfred Alphonse Yee the worst parent, who was so busy working during the marriage he didn't even attend Cub Scout meetings, whereof Complainant taught all four sons Scouting once as Denmother on five (5) different occasions as they grew up; and/or was Homeroom Mother for them for five (5) different occasions for three (3) different teachers.

Plaintiff's ex-lawyer (Respondent) Robert Hogan deceptively said, "then you don't need the extra money". This resulted after Plaintiff's short vacation in Escondido, California in March 1972, whereby Plaintiff refused to meet Mr. Hogan in Mexico.

Upon Complaint of Respondent Robert Hogan's "Conflict" as "Breach of Contract", and talking to ten (10) big name lawyers in Honolulu in September and October, 1973, including Respondent Harold Nickelsen, et al, to help sue Robert G. Hogan; the Hawaii Bar Association decided to help Hogan "do their thing". First off, (Respondent) Judge Betty Vitousek in her Misconduct ordered (Respondent) Malfeasant, Harold Nickelsen who didn't have the decency to refuse the illegal position,(who was one of the "big names", who said earlier he couldn't help, but who said "Let Hogan finish the job"); as "guardian ad litem" on November 2, 1973, against Plaintiff's wishes, AND/OR without an official Hearing as required by HAWAII REVISED STATUTES, Chapter 551-27, (APP. "LAW", p. 13 ) thereby in "violation" of Plaintiff's Legal Rights for Constitutional Law for "Due Process of Law" as protected by the U. S. CONSTITUTION AMENDMENT EIGHT. It took fifteen (15) months from Nov. 2, 1973 until February 12, 1975; after (Petitioner) Complainant: in Hawaii's Circuit Court, filed suit against Defendant Harold Nickelsen, et al, ex-Hawaii Bar Association "proxy" as "ex-guardian" who shamefully accepted Respondent Judge Betty Vit-

ousek's illegal \$4500.00 of Petitioner's money; for sitting as a perjurous "restractive" "pressive" "oppressor" for Robert Hogan against a good woman as Complainant Janice Ching Yee, who didn't receive any services for the \$4500.00; not even help on "child support" forgotten and neglected by Malevolent Judge Betty Vitousek, who never ordered it, even after Plaintiff as Complainant JCY pled for additional moneys to help take care of the minor children (also the older ones) who lived with Petitioner for four (4) days of the week, sometimes five (5).

Respondent Harold Nickelsen in his collusive Deception perpetrated the Deceptive Malice for "fraudulent concealment" of "assassination of Petitioner's good character, reputation and name" and didn't APPEAL for custody of the children to Petitioner; or for more "equitable" income or "Complete Financial Settlement"; or against the position of "guardian ad litem", which Nickelsen as illegal "enslaver", knew was not necessary for same Petitioner Pro Se Janice Ching Yee, who tried to tell him of Petitioner's capability. (APP. 12-1F, 12-2F, & 13F").

(Respondent) Judge Betty Vitousek, in her Malice, Deceptively Dismissed (Respondent) Harold Nickelsen, but instead ordered a Court Commissioner Mr. Sullivan, as "double jeopardy" for continued defamation, libel, slander, and "perjury" of "incompetance" against same Petitioner, who pled against this illegal "court commissioner" as an "enslaving" restractive" "pressive" "oppressive" "Abuse" set up by "evil" Judge Betty Vitousek, Respondent, who set up an illegal "trust" for insurance for "enslaving restraint" against Complainant who pled to collect the "face value", not wanting the policy, since AAY as ex-husband once promised \$1 million insurance for Pro Se who had \$700,000+ of policies at divorce, and lost \$400,000 as "financial damage".

Same Petitioner's intelligence is against this "cruel and unusual punishment inflicted" to cheat, extort, and coerce payments out of same Petitioner, who doesn't have the Freedom of Choice to spend the "interest money" from repayment of loan of \$225,000. whereof Respondent Alfred Alphonse Yee borrowed more than \$450,000 out of the ex-couple's "joint bank account", whereof this amount of \$225,000. was not to be considered in the alimony or financial settlement against "malevolent" Judge Betty Vitousek who deceives by channeling the money off to the Court Commissioner for payment of insurance premiums, which is extremely Unconstitutional and illegal.

As a Business Administration graduate from Northwestern  
approximately

University, same Petitioner Pro Se Janice Ching Yee can not understand "incompetant" Judge Betty Vitousek's desire to insult my integrity, or my intelligence in financial matters, for with this background of a major in Accounting and a minor in Personnel, same Petitioner once helped build up the man Alfred Alphonse Yee from a draftsman-engineer working for the Pearl Harbor Navy-yard as a structural engineer to private business to President of his company Alfred A. Yee & Associates, employing at last query 56 people; who could have been ordered to borrow the \$225,000. to repay same Petitioner Pro Se so same Janice Ching Yee as Sole Proprietor of Petitioner's Pi PRESS can do business without "restraint" for "Unfair Competition" (APP. "Law", HRS, 480-2, p. 13 ), hiking the prices to double the competition's because of the small volume and quantity printed or small amount of supplies purchasable. This is so UNCONSTITUTIONAL; worse so, since after all same Petitioner does not commit crime or deliberate sin and/or doesn't cheat, and/or tries to do straight business, and/or does not have the extra funds, being cheated by Alfred A. Yee & Associates, compounded by Respondents titled &/or Hawaii's Courts mentioned, who are all in Violation of same Petitioner Pro Se Janice Ching Yee's Legal American Rights, for FREE COMPETITION, FREE ENTERPRISE, and EQUAL OPPORTUNITY.

In March, 1974, Complaints against Robert G. Hogan, et al, and/or Judge Betty Vitousek, were left for the Hawaii Bar Association's Ethics Commission, whereof Respondent James E. Koshiba as chairman, denied Robert G. Hogan was unethical Respondent Koshiba could have helped stop the Conspiracy, but instead was a party to it and transferred Complaints against Respondent Judge Betty Vitousek down to the Disciplinary Counsel Jung Lowe of the Hawaii Supreme Court, whereof Disciplinary Counsel Lowe then finally denied Jurisdiction (argued) (APP. "LO") and dropped the Complaints back on the laps of the Hawaii Supreme Court whose prejudice dismissed the Appeal against Defendant—Appellee Judge Betty Vitousek, et al, in the worst "Error" committed by the Hawaii Supreme Court, who destroys the meaning of the word "Justice", for same Petitioner whose pleadings on this matter was not considered (APP. F77-3/14 and F77-3/21).

In the meanwhile, Petitioner hired ex-attorney Respondent Robert Franklin, after Dismissal of ex-attorney Respondent Robert G. Hogan, et al, whose Deception as ex-attorney for

Complainant, found Robert Hogan, the Respondent, in Conflict for Breach of Contract, wherefore he conspired and treacherously neglected to Appeal against Defendants (Respondents) Alfred Alphonse Yee, et al, for the loss of custody; and/or Appeal for more money and/or Appeal against the "Illegal" "guardian ad litem", "perjury" and "libelous, defamation" which Respondent Judge B. Vitousek instigated; and perpetrated by all Respondents titled.

Respondent Judge Vitousek's co-instigator and perpetrator of many of these "unconstitutional" crimes was Respondent Edward Y. C. Chun, et al, Respondent Alfred Alphonse Yee, et al's attorney. Respondent Edward Chun's Conflict was for "malicious injury" of Complainant Janice Yee, who finally sued Respondent Edward Chun, and he still wouldn't stop the Conspired, Deceptive, Prejudiced, acquiescence for Respondent Vitousek's "judicially enforced" financial "involuntary servitude", AND/OR, Respondent Chun co-instigated the "unequitable distribution" and deprivation of income for same Petitioner, whose pleadings have REAL MERIT for "half of ex-husband's salary at moment of divorce, multiplied for "the balance of Petitioner's" "life"; intending to live to 100 years of age, including Restitution as part of a Complete Financial Settlement of \$3 million for same Petitioner as pled, including repayment of loan and face value of insurance.

When Respondent Robert A. Franklin was hired, his Deception was where he, Robert Franklin, could and would help Complainant sue Defendant Robert Hogan in the Hawaii Circuit Court. Less than a month later, Respondent Robert Franklin hired Respondent Robert Hogan as Franklin's personal attorney in Franklin's personal divorce case. This was both embarrassing and delaying in finding an attorney to sue Robert Hogan or get more action out of Respondent Franklin, who then neglected to Appeal for custody of the children and/or for equitable distribution of income, complete financial settlement, or against the illegal "guardian ad litem".

Respondent Harold Nickelsen was finally dismissed as "guardian ad litem" on Feb. 12, 1975; and Respondent Robert Franklin was dismissed by Order filed April 11, 1975, whereof his dismissal was effective on April 17, 1975, after having tendered his request for Dismissal on Oct. 21, 1974, and denied by Judge B. Vitousek, the malicious Respondent for humiliation, ostracism, hatred, degradation, enslavement and destruction of Complain-

ant Janice Ching Yee, who never committed any crime and deliberate sin, and pled so, and even testified so.

Complaint against Robert G. Hogan, et al, filed February 7, 1975, Summons.

Complaint against Edward Y. C. Chun, et al, filed February 10, 1975, Summons.

Complaint against Harold Nickesen, et al, filed February 11, 1975, Summons.

Complaint against Gerry Nagahisa, et al, &/or Betty Adams, et al, filed February 11, 1975, Summons.

Complaint against James E. Koshiba, and/or the Hawaii Bar Association, filed February 11, 1975, Summons.

Complaint against Robert A. Franklin, filed March 17, 1975, Summons.

Complaint against Stephanie Kokernak, filed April 23, 1975, Memorandums of Law in Support of Complaint; Affidavit of Plaintiff, Summons.

Complaint against Betty Vitousek, Judge, et al, filed May 16, 1975, Summons, Affidavit of Plaintiff.

Before the first Hearing of these cases above in the Circuit Court of Hawaii, a short five (5) minute conference was called for by the lower Trial Court Judge Norito Kawakami, who said, "what would you say if I were to tell you, you won't get anything out of this?" Respondent Judge Norito Kawakami (by Joinder as a principle) actually meant it. He was prejudiced and biased against any Complaint of Plaintiff Pro Se Janice Ching Yee's presented in the lower Circuit Court Hearings of his; whereof Respondent Judge Harold Shintaku (as a member of the Hawaii Bar Association) dismissed allegations of the case against Defendant Judge Betty Vitousek, et al, whereof Respondent Judge Betty Vitousek's illegal "unconstitutional" "malicious abuse of judicial process" for "malicious injury" as damages incurred against same Petitioner Pro Se, could not be equaled. It is impossible for anybody to conceive the evil which Respondent Judge Betty Vitousek instigated, inflicted, and perpetrated, for "judicially" enforced, malicious, financial, "involuntary servitude" as "pressive, restraintive, oppressive", "cruel and unusual punishment" for extreme "malice" for "prejudiced persecution" for Deception as a Legal Court of Law, which then constituted "fraudulent concealment" for "assassination" of Petitioner's good character, good name as Janice Ching Yee and good reputation as a sane, capable, American woman who didn't commit any

crime or sin; and was not convicted of any to warrant this "judicial violence". Respondent Judge Betty Vitousek's "Fraud" as "incompetance" as "disability" warrants a New Trial for same Petitioner Pro Se Janice Ching Yee; against Respondent Judge Betty Vitousek's "Fraud" which is "misconduct" unpunished against the UNITED STATES CONSTITUTION and the HAWAII STATE CONSTITUTION for same Petitioner Pro Se Janice Ching Yee who Appeals and Petitions here.

The cases from the Civil Trial Court of Hawaii, were Appealed to Hawaii Supreme Court, who contributed to the lower Circuit Trial Court's "Fraud" against the UNITED STATES CONSTITUTION and the HAWAII STATE CONSTITUTION for "EQUAL PROTECTION OF THE LAWS" for "EQUAL RIGHTS" FOR SAME PETITIONER PRO SE, as a capable woman whose cases should not have been Dismissed, by the Hawaii Supreme Court, affirming the lower Circuit Trial Court's "prejudice" against a good Christian woman as same Petitioner, who then Appealed and Petitioned to This United States Supreme Court, for a "Joint Petition for a "Writ of Certiorari", case USSC #75-1429, filed April 7, 1976, whereby this case USSC #75-1429 and its subsequent pleadings were Denied for the last time Aug. 15, 1976.

Having not found the good word "Justice", for same Petitioner Pro Se, Janice Ching Yee tried to Appeal again in the Hawaii Circuit Court with Plaintiff Pro Se's "MOTION TO REOPEN AND CONSOLIDATE CASES TITLED", ACCORDING TO HRS (HAWAII REVISED STATUTES) CHAPTER 657-20", for Extension of six (6) years against "Fraudulent Concealment," filed February 14, 1977, and denied Jurisdiction by the lower Hawaii Circuit Court Judge Arthur Fong, who was non-compassionate and frivolous about the Jurisdiction for Plaintiff Pro Se Janice Ching Yee to collect a Redress of Grievances; and/or not have to expend extra funds against further delay and Court costs of another Appeal to the Hawaii Supreme Court. As Judge Fong was non-compassionate, so was the Hawaii Supreme Court, whose Dismissals are another Delay as extreme "Cruel and Unusual Punishment inflicted," against Petitioner Pro Se Janice Ching Yee, as a good woman with Good MERITS, who dared to plead for self, Pro Se, for a REDRESS OF GRIEVANCES against deprivation of income for retainer fees for lawyers who refused to help on a contingency basis in violation of the HAWAII SUPREME COURT RULES' CODE'S ETHICAL CONSIDERATION 2-27 and 2-28 &/or 2-30 (APP. "Law" p. 5 );

contributing to their Conspiracy for deprivation of Income and Opportunity and Legal American Right for same Petitioner for FREE ENTERPRISE AND FREE COMPETITION as a LEGAL EQUAL RIGHT for a GOOD WOMAN, AS SAME PETITIONER PRO SE JANICE CHING YEE, against the Hawaii State Bar Association's shameful prejudice, contributing to the Respondents' Deception for "Fraudulent Concealment" of "assassination" of Petitioner Pro Se's good character; once as a placid, unharried, unprovoked pleasant woman; good reputation; and good name Janice Ching Yee.

Upon Hawaii Supreme Court's Final Order for Dismissal, filed November 17, 1977; "NOTICE OF APPEAL" was filed in Hawaii Supreme Court on November 31, 1977. (APP. "I").

Petitioner hereby presents "JOINT PETITION FOR A DIRECT APPEAL" "ACCORDING TO AMERICAN CONSTITUTIONAL LAW FOR PETITIONER PRO SE", and Prays "FOR A REDRESS OF GRIEVANCES" for same Petitioner Janice Ching Yee.

## VII. REASONS TO GRANT THIS APPEAL

1. WITH THIS COURT'S JURISDICTION, DISCRETION, PREROGATIVE, AND INITIATIVE TO GRANT PETITIONER'S DIRECT APPEAL FOR A NEW TRIAL WITH EXTENSION OF TIME FOR TRUE MERITS, AS COMPLAINANT, FOR CLAIMS FOR A REDRESS OF GRIEVANCES FOR SAME PETITIONER PRO SE JANICE CHING YEE; THIS COURT CAN STRENGTHEN THE UNITED STATES CONSTITUTION AND ITS AMENDMENTS.
2. WITH THIS COURT'S GRANT OF PETITIONER'S DIRECT APPEAL, THIS COURT CAN BRING HAWAII'S COURTS BACK INTO THE FOLD FOR AMERICAN CONSTITUTIONAL LAW; WITHOUT PREJUDICED, UNCONSTITUTIONAL JUDICIAL, ENSLAVING, SUPPRESSIVE, RESTRAINTIVE, OPPRESSIVE PERSECUTION; - AS THREATS COERCING NON-ASSERTION OF PETITIONER'S AMERICAN CONSTITUTIONAL RIGHTS.
3. WITH THIS COURT'S GRANT OF PETITIONER'S DIRECT APPEAL, THIS COURT CAN HELP PETITIONER SET A COMPLETE EQUITABLE DIVORCE SETTLEMENT FOR EQUALS LIKE PETITIONER AS A CAPABLE AMERICAN WOMAN FOR FREEDOM FOR FREE COMPETITION AND EQUAL OPPORTUNITY, UNHAMPERED BY SMALL ALIMONY ALLOWANCES WHICH DEPRIVES OPPORTUNITIES FOR GOOD AMERICANS FOR FINANCIAL FREEDOM.

### VIII . ARGUMENTS

Might the Honorable Justices please consider pertinence of REASONS presented for the JURISDICTION of This Court for its pertinence as ARGUMENTS as well as REASONS for Petitioner's clearest explanation of LAWS presented for Jurisdiction and REASONS for This Court to Review and Grant Petitioner Pro Se Janice Ching Yee the precedent of a Direct Judgment for MERITS for a REDRESS OF GRIEVANCES for same Petitioner for MONETARY RELIEF as REMEDY (APP. "LAW", HRS<sup>+</sup> Chapt. 490:1-106, p. 13 ), as pled, earlier and JUDICIAL RELIEF, as EXPUNGEMENT of defamatory, libelous, slanderous, perjurous matter as "QUESTIONED" in part IV: AS:

1. the Illegal "guardian ad litem" Order by malicious Respondent Judge Betty Vitousek's "incompetance" ordered after accepting the "perjured" "severe, chronic, mental illness" report and testimony by Respondent Dr. Betty Adams' Malpractice; (APP. "LAW", HRS<sup>+</sup>, Chapt. 756-1, 756-5, p. of Chapt. 710-1061, p. 24,27 ), wherefore, applications were tendered twice to the Attorney General's office, which refused to "Expunge" twice, although on page 26 of "A Law Handbook", published in 1976 by the University of Hawaii during Law Week stated "the State Attorney General must issue an expungement order annulling, cancelling and recinding your record of arrest", whereof Attorney General Amemiya's office wouldn't recognize the "guardian ad litem" Order as "false arrest", so refused to "Expunge" it. (APP. "LAW", HRS<sup>+</sup>, Chapt. 831-3.2 p. 21 )
2. the "severe, chronic, mental illness" report which Dr. Betty Adams submitted, which caused the illegal, libelous, "guardian" which was ordered illegally by Judge B. Vitousek, "sans" "hearing"; in violation of Hawaii Revised Statutes Chapter 551-27 (APP. "LAW" p. 13 ) where "the judge shall cause notice to be given to the supposed insane person of the time and place appointed for hearing the case, not less than fourteen days before the time so appointed."(APP."tCR v.AY", p. 16 ). No

notice was given to Complainant, as Petitioner Janice Ching Yee, a capable woman, who should not have suffered the trauma, humiliation, notoriety, loss of status, and ostracism caused by this "conspired" (APP. "LAW" HRS<sup>+</sup>, Chapt. 728-1, 2, 3, & 728-6; p. 23-24) "fraudulent concealment" (APP. "LAW" HRS<sup>+</sup>, CHAPT. 657-20 p. 20 ) of Deceptive bad intent for "assassination of Petitioner's good character, reputation and good name Janice Ching Yee.

3. the Social Worker Respondent Gerry Nagahisa's perjured ("tCR v. AY" - #9, p.30) report, which reiterated Perjury by Respondent Alfred Alphonse Yee in the "Father's Statement and Plan", which is false and perjurious, since two of Petitioner's three sons are not receiving enough money to continue Mainland colleges and/or Petitioner's older son has had to work during the day and go to graduate school at night, whereof AAYee and his new wife Lizzie spent three trips to the Orient, depriving Petitioner's sons of college money. Even the "Mother's Statement" is not true of Petitioner's thoughts or statements, whereof Petitioner complained then as Plaintiff and was ignored by the various courts, and therefore accepted Respondent Gerry Nagahisa's perjured report, which "incompetant" "Evaluation" is "libelous defamation" in view of the fact she was told of Petitioner's Credits as five (5) occasions as Denmother for the Cub Scouts and/or five (5) different occasions as Homeroom Mother for three different teachers for the children, and/or other incidents of Mother-children related activities without their Father Alfred Yee, who perjured, for he was not home enough to teach or help the children; he didn't even attend the Cub Scout meetings! Therefore Respondent Nagahisa's report should be "Expunged", since her "Recommendation" is also "incompetant" based on her "false" "Mrs. Yee will have difficulty caring for the children as her behavior does not relate to the needs of the children' ", whereof Petitioner's minor children, now one son lives with Petitioner four (4) days or five (5) days of the week, without "child support", which was denied after pleading

- by same Petitioner Pro Se, against Respondent Hogan who neglected it and "Reversal of Order" for new Order for Custody of Ian Yee, minor son to Mother Janice Ching Yee.
4. the "malicious", "perjured", "defamatory", "libelous" decisions and orders, by Respondent Judge Betty Vitousek, which insinuates "incompetancy", needing a "guardian ad litem", Respondent Harold Nickelsen, which was dismissed; but substituted by the "court commissioner" Mr. Sullivan, who doesn't have the decency to decline the illegal position against a good capable woman as Petitioner Pro Se here, against Respondent Vitousek's "perjury" (APP. "LAW", HRS+, Chapt. 756-1, p. 24 ) as "Deception" (APP. "LAW", HRS+, Chapt. 657-20, p. 20 ) as an impartial Judge, actually for "fraudulent concealment" of "judicial financial enslavement" as "involuntary servitude" for coerced lack of funds for "fraudulent concealment" of Respondent Vitousek's intent for all Respondents and unnamed contributory Respondents for "assassination" of Petitioner Pro Se's good character, good reputation as a capable businesswoman who would not go "bankrupt", after all, if given equal opportunity for fair competition, as protected by the U. S. CONSTITUTION, AMENDMENT ONE, (APP. "Law", p. 3)
- for same Petitioner Janice Ching Yee as a good name, for "Expungement" of any defamatory, libelous, slanderous "perjury", proven by Respondent Vitousek's "malice" (APP. "Law", HRS+, 701-4, p. 21 ) and "incompetance" (APP. "Law" RULE 63, p. 2 ) which has caused vacillatory delay of sixty-three (63) months of "cruel & unusual" "penalty" in her lower Court, which warrants a NEW TRIAL for PETITIONER against Respondents' conspired deprivation of income, Legal American Constitutional Rights, and time; always against same Petitioner's assertion of Legal Rights for A REDRESS OF GRIEVANCES against Damages Incurred by Unconstitutional Crimes; or Equitable Distribution of income, or Complete Financial Settlement for FREEDOM to live a new life for same Petitioner Janice Ching Yee, who never committed sinful crimes, to warrant suppression or restraint or oppression or "involuntary servitude". (APP. "T"1 and "T"2)
5. the "perjured" Report of "illegal" Harold Nickelsen, Respondent, as an Illegal ex-"guardian ad litem", both of which should be "Expunged".
  6. Respondent Edward Y. C. Chun's perjured "interlocutory decree" mention which should be "Expunged" since it was not pertinent in Petitioner's cases, at the Hawaii Supreme Court hearing on October 21, 1975; which Obstructed Justice for a fast Complete Financial Settlement for Complainant Appellant Pro Se, same Petitioner Janice Ching Yee, as Pro Se, who didn't sue Defendant—Appellee Respondent Alfred Alphonse Yee for adultery.
  7. Respondent+ Alfred Alphonse Yee's perjured "statement" reiterated in Respondent Nagahisa's perjured Report which contributed to loss of custody and/or was Perjury for "Conspiracy" (APP. "Law" HRS+, Chapt. 728-1, -2, -3, -6; p. 23-24); "prejudiced persecution" as suppressive, restraintive, oppressive, "fraudulent concealment", which warrants six (6) years' EXTENSION (APP. "Law", HRS+, CHAPT. 657-20, p. 20 ) for SAME PETITIONER'S COMPLAINTS against all conspired Respondents for "assassination" of Petitioner's good character, reputation as a very good ex-wife and Mother Janice Ching Yee, same Petitioner's good name, against Respondent, AAY+ whose "Deception" was for (APP. "Law" HRS+, 657-20, p. 20 ) "Extortion" (APP. "Law" HRS+, 741-1, p. 24) ~~or~~ Twenty (20) years of intense work without actual monetary compensation by AAY & Associates since only Respondent Alfred Yee as individual was paid for the engineering administrative services for his Company Alfred A. Yee & Associates, Respondents, who were aided and abetted by all Respondents titled and by the "judiciary" members mentioned, by their prejudiced erroneous Decisions and Orders for the Defendants—Appellees as Respondents titled here, who "conspired" and perpetrated the "Unconstitutional Crimes" mentioned and discussed against same Petitioner here, who helped build the original foundation for the Company Alfred A. Yee & Associates, whereof Petitioner Pro Se \*Janice Ching Yee as ex-first wife (Civil Law and Episcopal Canon Law) worked, expecting continuing in-

come, worked for and accrued, for the rest of same Petitioner Pro Se JCY\*'s natural life against non-payment of twenty (20) years of work; not duties as wife or same Mother\* Janice Ching Yee of five (5) legitimate healthy children; whereof same Petitioner worked as a "silent partner" (APP. "Law", HRS<sup>+</sup>, Chapt. 634-3, p. 16; Chapt. 425-118, p. 12; Chapt. 806-22, p. 20; Chapt. 387-4, p. 12 ) once at home for ex-husband AAY<sup>+</sup> who disloyally neglected and conveniently forgot ex-wife JCY\* as Complainant who once performed work as:

- a. business consultant
- b. accountant-bookkeeper, monthly "auditing"
- c. personnel director
- d. hostess
- e. background entertainment director
- f. clerk-secretary
- g. chefess (including nine-course dinners)
- h. maidservant or yardworker

Respondent Alfred Yee borrowed more than \$450,000.00 from his or my "joint bank account", whereof Respondent +Alfred Alphonse Yee was ordered to repay \$225,00.00 in small \$350.00 monthly amounts. Many times, it is unbelievable how "malfeasant" Hawaii's Courts mentioned are; for Respondent AAY<sup>+</sup> could have borrowed the money, having fifty-six (56) men working for him, OR, the Company" AAY<sup>+</sup> & Associates, could have paid it out of the Profit Sharing Fund, as suggested a number of times by Complainant, whereof same Petitioner didn't even receive Petitioner's share.

This constitutes "judicially enforced unconstitutional financial enslavement as involuntary servitude" by Respondent Judge Betty Vitousek, whose "Misconduct" conspired for Respondents' "malice" (APP. "Law", HRS<sup>+</sup>, Chapt. 701-4, 702-11, p. 21.22 ) for "prejudiced persecution" for "fraudulent concealment" by Deception for "assassination" of same Petitioner's good character, good reputation as a good private business consultant and/or talent as a good businesswoman, Janice Ching Yee as a good name. This was also "judicially enforced" "Unfair Competition" (APP. "Law", HRS<sup>+</sup>, 480-2, p.13 ), as "depriva-

tion" of "Equal Opportunity" to do business on "Equal" terms at "Equal" prices instead of being charged four or five times more than any other publisher, because of the extremely small volume printed, caused by "judicial" "Deprivation" of income and Legal American Rights for same Petitioner Pro Se \*Janice Ching Yee, as pled, for A REDRESS OF GRIEVANCES for same, including moneys earned or loaned which should be paid back as fast as possible, out of human decency AND AMERICAN CONSTITUTIONAL LAW, for same businesswoman JCY\* who should not be so maligned, it is impossible to apply for a loan; for example, as said by Clifford Kong, v.p. of Hawaii National Bank, who "heard of your (my) reputation in town." This is so Unconstitutional, Unfair, Unholy, and UnChristian of all Defendants—Appellees as Respondents titled, and/or of Hawaii's Courts mentioned as "Frauds", which warrants A NEW TRIAL for same Petitioner Pro Se Janice Ching Yee against their "disability" as "prejudiced frauds".

8. the "perjured" Affidavit (APP. "Law", HRS<sup>+</sup>, 710-1061, p. 27 ) of Respondent Stephanie Kokernak; which was "defamatory", "libelous", making a liar out of Complainant and should be "Expunged" (APP. "Law", HRS<sup>+</sup>, 831-3.2, p. 21 ) wherefore she was warned her illegal "trespass" (APP. "Law" HRS<sup>+</sup>, 708-813, and 708-815, p. 26 ) OR "invasion of privacy" (APP. "Law", AMENDMENT FOUR, p. 3 ) was the cause of dissention, causing divorce talk, and eventually divorce, which she helped coerce. (APP. "Law", HRS<sup>+</sup>, 707-724, 705-520, 705-522, 705-525, 806-21, 806-22, 701-4, 704-1,2,3,5, 751-1, 756-1, p.25,24 ). Insult upon injury, Respondent Stephanie Kokernak was rewarded by a "rentless" month at the Marco Polo Apartment owned by Alfred A. Yee, et al, a month's extra salary for not working, and then, continued employment at Alfred A. Yee's personal apartment in Kahala.
9. Respondent James E. Koshiba's "incompetant" report which insinuated "perjury" or "imagination" or "frivolity" about Respondent Robert Hogan's "unethical misconduct" which could not be found by the Hawaii Bar Association's Ethics Commission's ex-Commissioner Koshiba, who transferred Complaints to the Ethics Committee a-

- against Respondent Judge Betty Vitousek down to the:
10. Disciplinary Counsel, Jung Lowe of the Hawaii Supreme Court who denied Jurisdiction against Respondent Judge Betty Vitousek who committed extreme malice whereby Respondent Vitousek instigated and perpetrated "judicial violence" as "judicial financial enslavement" as "judicially enforced financial involuntary servitude" by "malicious abuse of judicial process" for degradation, deprivation, by Deception as a Judiciary impartial member, for Deception by Delay for "Coercion" of non-assertion of same Complainant JCY's Legal American Rights against this "unconstitutional criminal misconduct" by Respondent B. Vitousek for "fraudulent concealment" of Respondent Betty Vitousek's bad intent for "assassination" of same Petitioner's good name, good reputation, and good character as a placid person, unharried, and unprovoked; by 75 months torture by the Respondents. The Disciplinary Counsel of Hawaii's Supreme Court's Denial should be "Expunged" as insinuation of Complainant's lack of veracity or sanity or lucidity of reason. The position should have the Jurisdiction of the HAWAII SUPREME COURT RULES; JUDICIAL CODE for disciplinary purposes OR Jurisdiction of HSCR+'s CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION 7-21, against "malicious abuse of judicial process" "for coercion of lesser settlements", which is unequitable and unconstitutional against "Equal Protection of the Laws". If Disciplinary Counsel Jung Lowe really doesn't have the Jurisdiction, excuse Petitioner as a taxpayer, shouldn't he instead be an agency under the Hawaii State Bar Association, rather than make the position of Disciplinary Counsel of the Hawaii Supreme Court a Deceptive "puppet" Position, which delays and slowly coerces non-assertion of Legal Rights, without strength, for fast Redress of Grievances for Petitioner here, against a malicious Judge as Respondent Betty Vitousek who is not immune and other unconstitutional criminals, wasting the State's tax monies? If Lowe had transferred the case to Hawaii's Supreme Court, how come they dismissed it with all Complainant Janice Ching Yee's MERITS!

11. Respondent Robert Hogan's perfidious perjurous treachery which told Respondent Judge Betty Vitousek in malevolent conspiracy, "we don't pay punitive damages" after Complainant's testimony in the Hawaii Family Court, which should be "Expunged". Respondents Hogan and/or Respondents Vitousek should both pay "Punitive Damages".
12. the "Denial of Expungement" through Attorney General Amemiya's Office against Application of "Expungement" of the "guardian ad litem" Order which was dismissed and was illegally imposed as suppressive, restraintive, oppressive, "cruel and unusual punishment inflicted" against Complainant Janice Ching Yee who never committed sinful crimes. It was inflicted "without due process of law" as a hearing, as was protected by HAWAII REVISED STATUTES, Chapter 551-27 (APP. "Law", p. 13 ). How come Hawaii Supreme Court affirmed Respondent Judge Harold Shintaku's incompetancy and prejudice which ignored this terrible crime by Respondent Judge Betty Vitousek? How come Respondent Robert Hogan didn't Appeal against it? How come Amemiya's office usually as prosecutors, decided to defend the Criminal Judge Respondent Betty Vitousek? How come Jung Lowe shifted the burden? How come the Hawaii Supreme Court Dismissed the Criminal Judge Respondent Betty Vitousek?
13. the "Denials" of the lower Circuit Court Judge Norito Kawakami which constituted "prejudiced" "Fraud" by Respondents Shintaku and Kawakami, whose "Denials" should be "Expunged".
14. the "Denials" and/or "Dismissals of Hawaii Supreme Court should be "Expunged", against Hawaii Supreme Court's Gross Error" as "Fraud", by their Prejudiced "Judgments" and "Decisions" affirming the lower Family Court Judge Respondent Betty Vitousek's villainy as "Misconduct" (APP. "Law", HSCR†, CODE, EC7-21, p. 6(+); HSCR†, JUDICIAL CODE, all, p. 7-9 ) and

<sup>3</sup>  
†HAWAII SUPREME COURT RULES

"Fraud" (APP. "Law", HRS†, Chapt. 656-2, 656-3, p. 19 ) against the HAWAII STATE CONSTITUTION and THE UNITED STATES CONSTITUTION's AMENDMENTS for "Equal Protection of the Laws" for same Petitioner Janice Yee for FREEDOM, as A REDRESS OF GRIEVANCES against the HSC† affirming and/or HCC‡ denying: HFC Vitousek's "judicially enforced" financial "involuntary servitude" (APP. "Law" AMENDMENT 1, 4, and 14, p. 3 ), as Deception for "fraudulent concealment" of "suppressive", "restrictive" "oppressive", libelous, "perjury" for malicious "assassination" of same Petitioner Pro Se JCY\*'s good character, capable reputation, and good name \*Janice Ching Yee as pled.

There was no REASON for Petitioner, same JCY\*, for REASONABLE Judgments, Orders, or Decrees; to have gotten so much "cruel and unusual punishment inflicted" (APP. "Law" AMENDMENTS ONE, FOUR, AND FOURTEEN, p. 3 ) as a sinful criminal, against same Pro Se, for same individual Petitioner JCY\* never committed any sinful crimes. The Hawaii Supreme Court should have Granted Appellant's EXTENSION of time to six (6) years as permitted by HAWAII REVISED STATUTES, CHAPTER 657-20, (APP. "Law" p. 20 ) to REOPEN AND CONSOLIDATE against Defendants—Appelles, as Respondents here, who are all "Guilty" of "fraudulent concealment" of Deception for "unconstitutional crimes" for "fraudulent concealment" for malicious "assassination" of Petitioner's character, reputation and good name; as pled.

Hawaii's Supreme Court should have reprimanded the lower Circuit Court Trial Judge Arthur Fong, who was in Error in Denying his Jurisdiction, including HAWAII REVISED STATUTES, Chapter 603-21 or 657-1(5) or 654-21 (APP. "Law", p. 16,19 ), which were statutes included in Plaintiff Pro Se (Petitioner here) JCY's "motion to Reconsider Plaintiff's Motion to Reopen and Consolidate Cases Titled", etc., hereby appended as APPENDIX LCC, for veracity, wherefore Attorney Joseph

Ryan was witness of personal plea in the office outside Judge Fong's chambers, where This "Motion" was refused a day for "Notice of Motion", therefore denied filing by the clerks. Same Pro Se's "Notice of Appeal" to Hawaii Supreme Court and "Designation of Record" was then filed March 7, 1977, in Hawaii Circuit Court, at 12:50 p.m.

Hawaii's Supreme Court should not commit "fraud" as Legal Representation of a Court of Law from Hawaii; who, instead, should Represent American Law for "Equal Protection of the Laws" for same Petitioner, who Petitions to This Court for a New Trial, &/or for Review and Direct Order and Judgment for Reversal of Hawaii Supreme Court's Erroneous, Prejudiced, Harmful, Reversible Orders, filed Nov. 17, 1977, and, in the Alternative, Order a Direct Judgment for A REDRESS OF GRIEVANCES FOR PETITIONER PRO SE JANICE CHING YEE against "Damages Incurred" (APP. "Law", HRS, Chapt. 490.1—106, p. 13 ) by the Respondents, titled.

Also, Justice Bert Kobayashi should have recused himself out of all of the cases, since recusing himself out of one case and sitting on the others, still is a Conflict by Justice Kobayashi; since the "Decisions" of any one case is contingent and contributory to the "Decisions" of all cases for same Petitioner.

Also, the Justices should not "cover up" for their clerks' illegal coercion for non-assertion for Legal American Rights for Plaintiff—Appellant Pro Se Janice Ching Yee to receive "Equal" privileges as any of the lawyers, for proper pleadings to be filed before being considered; or "Default" by (Respondents) Defendants—Appellees to get consideration for credit as Merits for same Petitioner Pro Se, against Contributory "malicious injury" by them for losses against same Pro Se.

They should not have denied filing of Attorney (Respondent) David Ingman's "Withdrawal" as counsel, hereby included as pertinent evidence (APP. "DI") for same Petitioner including evidence of the HSC clerks' "incompetance" or "misconduct" for refusal to file evidence necessary for "just adjudication" of cases for Appellant as same Petitioner Pro Se titled here.

Therefore, Hawaii's Supreme Court compounded its earlier Error of Dismissals of Plaintiff—Appellant Pro Se Janice Ching Yee's cases against Defendants—Appellees:

\* HAWAII CIRCUIT COURT

ALFRED ALPHONE YEE and/or ALFRED A. YEE &  
 ASSOCIATES, HSC<sup>+</sup> NO. 6102 (5930)  
 STEPHANIE KOKERNAK, HSC<sup>+</sup> NO. 5943.  
 ROBERT G. HOGAN and/or HOGAN, ROTHER, GRIMES &  
 BYBEE, HSC<sup>+</sup> NO. 5971.  
 EDWARD Y. C. CHUN and/or CHUN, KERR, DODD,  
 HSC<sup>+</sup> NO. 5903  
 BETTY VITOUSEK, JUDGE, and/or the FAMILY COURT of  
 the FIRST CIRCUIT of the STATE OF HAWAII AND/OR  
 NORITO KAWAKAMI, JUDGE of the FIRST CIRCUIT COURT  
 of the STATE OF HAWAII, HSC<sup>+</sup> NO. 6008.  
 GERRY NAGAHISA, SOCIAL WORKER, and/or the ADULT  
 SERVICE BRANCH of the STATE OF HAWAII'S FAMILY  
 COURT of the FIRST CIRCUIT, AND/OR  
 DR. BETTY ADAMS, PSYCHIATRIST, and/or the DEPART-  
 MENT OF HEALTH of the STATE OF HAWAII, HSC<sup>+</sup>  
 NO. 5924  
 HAROLD NICKELSEN and/or CONROY, HAMILTON,  
 GIBSON, NICKELSEN & RUSH, HSC<sup>+</sup>, NO. 5969.  
 JAMES E. KOSHIBA AND/OR the HAWAII BAR ASSOCIA-  
 TION, HSC<sup>+</sup>, NO. 5970  
 ROBERT A. FRANKLIN, HSC<sup>+</sup>, NO. 5949.

whose bad merits as "unconstitutional criminals" for Con-  
 spired "fraudulent concealment" of deception and depriva-  
 tion by "malicious abuse of judicial process" for "assassi-  
 nation" of Petitioner's REAL good MERITS as a capable.  
 honest, religious, American businesswoman, Janice Ching  
 Yee, Mother of five (5) legitimate children. The "Court" was  
 wrong therefore by dismissing the nine (9) cases;  
 and/or affirming the lower Circuit "Trial" Court's Shintaku  
 Kawakami's prejudiced, harmful, reversible Errors, which  
 constituted "Fraud", as explained, and/or affirming the  
 lower Family Court Vitousek's prejudiced harmful, revers-  
 ible, incompetant, Errors, which constituted "Fraud",  
 which warrants a NEW TRIAL for same Petitioner for a  
 "speedy" fair "trail".

The cases were thenAppealed to This United States Su-  
 preme Court as Petitioner's "Joint Petition for Writ of  
 Certiorara", cased USSC #75-1429, filed April 7, 1976,

+HAWAII SUPREME COURT

and subsequent pleadings for this Writ, were reviewed by  
 This Court who could have directed the lower Hawaii Su-  
 preme Court to reverse their Error, which constituted  
 "Fraud"; against the U. S. CONSTITUTION for "Equal  
 Protection of the Laws", then, and now, for "Equal  
 Rights" for "FREEDOM" unassessed, and/or "FREEDOM"  
 for and by a "REDRESS OF GRIEVANCES" for Petition-  
 er Pro Se Janice Ching Yee, as pled.

So, might This present Court Review and GRANT Pe-  
 titioner Pro Se's Direct Appeal and Petition, consistent  
 with This Court's more recent Decisions and Rulings:

#### RULINGS OF THE U. S. SUPREME COURT

##### A.L.

##### RULINGS AND PRECEDENTS SET BY:

- (a) Board of Regents v. Roth, 408 U.S. 564, 40 LW 5079 (1972)+
  - (b) Perry v. Sinderman, 408 U.S. 593, 40 LW 5087(1972)+
- "two recent cases decided by the Supreme Court,  
Board of Regents v. Roth" and "Perry V. Sinderman".  
 "In determining whether due process requirements  
 apply, the Court must look to the nature of the in-  
 terest at stake to determine whether it falls within  
 the protection of liberty and property afforded by  
 the Fifth or Fourteenth Amendment."

"Moreover, the Court noted: "WHERE A PER-  
 SON'S GOOD NAME, REPUTATION, HONOR OR  
 INTEGRITY IS AT STAKE BECAUSE OF WHAT  
 THE GOVERNMENT IS DOING TO HIM, NOTICE  
 AND OPPORTUNITY TO BE HEARD ARE ESSEN-  
 TIAL." emphasis supplied.

##### 2. RULINGS AND PRECEDENTS SET BY:\*\*

- (a) Imbler v. Pachtman, case #75-5435++(see. p.  
 footnote)

"42 U.S.C. +1983 provides: "Every person who,  
 under color of any statute, ordinance, regulating  
 custom, or usage, of any State or Territory, subjects,  
 or causes to be subjected, any citizen of the U. S. or  
 other person within the Jurisdiction thereof to the

\*From "LAW WEEK" vol. 44, No. 28, page 2580.

\*\*may this all be given emphasis for Appellant Pro Se JCY.

deprivation of any rights, privilege, or immunities secured by the Constitution . . . shall be liable to the party injured in an action at law, suit in equity or other proper proceedings for redress."

"As the language itself makes clear, the central purpose of 42 U.S.C. +1983 is to "give a remedy to parties deprived of Constitutional Rights, privileges, and immunities by an official's abuse of his position." Monroe v. Pape, 365 U.S. 167, 172 (1921).."

"The United States Constitution, among other things places substantial limitations upon state action, and the cause of action provided in 42 U.S.C. +1983 is fundamentally one for "Misuse of power, possessed by virtue of State law and made possible only because the wrong doer is clothed with the authority of state law." United States v. Classic, 313 U.S. 299, 326. It is manifest then that all state officials as a class cannot be immune absolutely from damage suits under 42 U.S.C. +1983 and that to extend absolute immunity to any group of state officials is to negate "pro tanto" the very remedy which it appears Congress sought to create. Scheuer v. Rhodes, 416 U.S. 232, 243. Thus as there is no language in 42 U.S.C. +1983 extending any immunity to any state officials, the Court has not extended absolute immunity from damage suits to a variety of state officials. Wood v. Strickland, 420, U.S. 308(1975) (school board members); Scheuer v. Rhodes Supra (various executive officers, including the State's Chief executive officer); Pierson v. Ray, 386 U.S. 547 (1967) (policemen); and notwithstanding the fact that, at least with respect to high executive officers, absolute immunity from suit of damages would have applied at common law. Spaulding v. Vilas, 161 U.S. 483; Alzua v. Johnson, 231 U.S. 106. Instead we have construed the statute to extend only a qualified immunity to these officials, and they may be held liable for unconstitutional conduct absent "good faith". Wood v. Strickland, Supra, at 315. Any other result would "deny much of the promise of 1983." Id, at 322."++

++All from "LAW WEEK" vol. 44, No. 28, page 4257 & 4258.

### 3. RULINGS AND PRECEDENTS SET BY:

- (a) U. S. v Winter, 348 F. 2d 204, 210 (CA 2, 1965)+++

"Once a witness swears to give truthful answers, there is no requirement to "warn him not to commit perjury, or conversely to direct him to tell the truth." U.S. v. Winter, 348 F. 2nd 204, 210 (CA 2, 1965)"

- (b) Harris v. N.Y., 401 U.S., 222 (1970)++++

"The Fifth Amendment privilege cannot be construed to include the right to commit perjury." Id. at 225. Harris v. N.Y., 401 U.S., 222 (1970).

These Decisions and Rulings were included as very pertinent "Memorandums of Law" for Plaintiff-Appellant Pro Se Janice Ching Yee's Opening Brief, for case HSC #6529, as a Consolidation of nine (9) cases for same Pro Se for "just adjudication" of Pro Se's cases. Also included were pleadings for use of Precedents set by: Doris Day v. Rosenthal, Calif. Supr. Crt. 1974; and/or Mrs. Jillson v. Caprio, 86 App. D.C. 168, 181 F. 2d 523; Noted, 49 Mich. L.R. 917 (1941); 35 Cornell L.Q. 904 (1950).

How could Hawaii's Supreme Court dismiss all of Plaintiff-Appellant Pro Se Janice Ching Yee's cases with these Rulings and Decisions as Precedents?

Hawaii Supreme Court is in Error for considering ARTICLE ONE, Section Eleven of the HAWAII STATE CONSTITUTION, which "statute", taken in its "validity", is "repugnant" to the "CONSTITUTION of the UNITED STATES, AMENDMENT ONE, FOUR, FIVE, EIGHT, THIRTEEN, FOURTEEN, and TWENTY-SEVEN for same Petitioner Janice Yee, who PETITIONS to This Supreme Court of the United States against Hawaii Supreme Court's Erroneous "Orders", which "invoked the Jurisdiction of This Court, through the "validity" of its "Decisions", which is "repugnant", "in favor" of this "statute", originated by the UNITED STATES CONSTITUTION's SIXTH AMENDMENT, thereby "holding an Act of Congress Unconstitutional" against the Legal American Constitutional Rights for same Petitioner Pro Se Janice Ching Yee, as pled above.

+++ From "LAW WEEK" vol. 44, No. 28, page 4635, par. 4.

++++ From "LAW WEEK" vol.44, No.28, page 4635, par. 7.

## IX. CONCLUSION

In conclusion, Petitioner Pro Se \*Janice Ching Yee prays for This Court to Review Petitioner's Direct Appeal for A REDRESS OF GRIEVANCES from this United States Supreme Court for a Direct Grant and/or Order for same Petitioner for merits for a New Fair "Speedy" Trial for same Petitioner's Legal Equal Right as a good American for Equal Protection of the Laws as Constitutional Law for same Pro Se \*Janice Ching Yee, with due consideration of this PETITION, according to UNITED STATES SUPREME COURT RULES, RULE 13-1 for "timeliness" with Petitioner's MERITS for competance and capableness, Petition Pro Se JCY\* as sole Proprietor for Pi PRESS, Petitioner's business, has proved merits as a good business capitalist executive, who, if given Equal Opportunity and Fair Competition for production, distribution, and sales of Petitioner's products of God-given talents (APP. "Pi") as "other legal evidence" (APP. "Law", HRS, 656-2, p. 19 ), same JCY\* as Authoress, publisher(ess?), Business manageress, Financial manageress, Sales manageress and clerical help for business started March 2, 1973, against extreme odds, has proven MERITS, as of Silent Partner of ex-husband +Alfred Alphone Yee, therefore proving AAY+ does owe same individual Petitioner Pro Se JCY\* as ex-silent business partner and same ex-wife Janice Yee complete financial settlement for divorce as pled, and should not have been so badly deprived by malfeasant Respondent Judge B. Vitousek, who should have ordered the repayment of \$225,000 borrowed money in one lump sum, so same individual Petitioner could have had Equal Opportunity for FREE ENTERPRISE before final divorce Settlement due now. (APP. "tCR v. AY", p.4; HFC#88)

### Thank God for the U. S. CONSTITUTION, AMENDMENTS

1. 4, 5, 8, 13, 14 and 27 specifically for all pleadings against Respondent Judge B. Vitousek's terrible misconduct, contributed to by "conspirators" as Respondents, including Respondent Judiciary members mentioned who committed terrible Errors for "illegal" judicial "suppression" and "restrict" and "Oppression" of same Petitioner who never committed any sinful crimes and/or should not be so defamed, libeled, slandered and taken advantage of, by Deception, by Respondents, who owe Petitioner Pro Se Janice Ching Yee a Redress of Grievances as the "aggrieved party" for Petitioner's good Merits for claims for Monetary Relief (APP. E(a to i) of FILED, April 7, 1976's earlier "JOINT PETITION for WRIT of CERTIORARI") and Judicial Relief against

"damage incurred" by Respondents, titled,  
as: General damages (APP. "Law", HRS-490:1-106)  
Punitive damages (APP. "Law", HRS-490:1-106)  
Compensatory damages (APP. "Law", HRS-490:1-106)  
Exemplary damages (APP. "Law", HRS-490:1-106)  
Special damages. (APP. "Law", HRS-490:1-106)  
and Actual damages (APP. "Law", HRS-490:1-106)  
as loss of income  
earned (APP. "Law", HRS-741-1)  
through Extortion contributed to by Respondents titled; of 20 years work for the goal to "live in luxury" some day, and/or loss of reputation for good Merits (APP. "Law", HS CONST., Art. 1, Sec. 4, p. 10 ) as a capable American woman, same Petitioner, \*Janice Ching Yee as pled, against the Court's "Denials and Dismissals" as libelous, contributory "conspiracy" for Defendants-Appellees bad Merits as the libelous labels as an "incompetant" by Vitousek's "false arrest" order or illegal ex-"guardian ad litem" or Court Commissioner" which is still not dismissed denying proper competent pleadings for and by same Petitioner for precedents against: "Anyone who aids a 'False Arrest' is Guilty"! (Encyclopedia of Negligence, p. 1157 (Sec. 410) (Vol. 2) 1962. (Jillson v. Caprio, 86 APP. D.C. 168, 181, F 2d, 523; Noted 49 Mich. L.R. 917 (1941); 35 Cornell L.Q. 904 (1950). All of which caused seventy-five (75) months loss of time for Petitioner Pro Se JCY\* to write as a professional Author and do business as Pi PRESS's Sole Proprietor Janice Ching Yee against Respondents for their "fraudulent concealment" of bad intent for "assassination" of same Petitioner's good character, good reputation as a capable business executive, and good name Janice Ching Yee as Petitioner titled here.

Petitioner feels slightly pled out after 34 months of pleadings as a legal civilian Pro Se Janice Ching Yee who pled so long and so true for Remedy as Monetary Relief and Financial Relief, as pled, as a Redress of Grievances for same Petitioner Pro Se who does "Demand" said Redress of Grievances as this Petitioner Pro Se \*JCY's Legal American Constitutional Right, including Custody of Ian Yee to Mother Janice Ching Yee, the better parent.

it's so hard to work sixteen (16) hours a day to try to live a living accustomed to, and receive almost no reward for it, or working two jobs and receive pay for half of one job. It's unfair.

So with this thought behind all of Petitioner's pleadings; including the fact same Plaintiff-Appellant Pro Se Janice Ching

Yee, a pure Punti Chinese-American pled as a capable woman unrepresented minority before Hawaii's Supreme Court whose Unconstitutional "Dismissals" "invoked" the Jurisdiction of This United States Supreme Court whereof the Unconstitutional "validity" of its Unconstitutional "Orders" as "Decisions" for Dismissals was "in favor" of the Prejudiced Unequitable and Unconstitutional "validity" of the "statute", Article one, Section eleven of the Hawaii State Constitution, which is "repugnant to the CONSTITUTION OF THE UNITED STATES, AMENDMENT ONE, FOUR, FIVE, EIGHT, THIRTEEN, FOURTEEN, and TWENTY-SEVEN for same Petitioner Pro Se Janice Ching Yee who PETITIONS against the "inequities" of this "statute" Article one, Section eleven of the Hawaii State Constitution, which is a copy of the UNITED STATES CONSTITUTION, AMENDMENT SIX thereby questionable for its Unconstitutional "validity" for the "final" "Order" or "decision" of Hawaii Supreme Court as Hawaii State's "highest court", which "invoked" the Jurisdiction of This United States Supreme Court for same Petitioner Janice Ching Yee, who "APPEALS" against the Unconstitutional Hawaii Supreme Court's Unconstitutional extreme "final Judgment" "holding an Act of Congress Unconstitutional", as pled for AMENDMENT ONE, FOUR, FIVE, EIGHT, THIRTEEN, FOURTEEN, and TWENTY-SEVEN of the UNITED STATES CONSTITUTION for same Petitioner's Original "civil action, suit", and "proceeding"(s) "to which the UNITED STATES" CONSTITUTION "is a party"; AND; so, Petitioner Pro Se Janice Ching Yee prays for This Court's Jurisdiction, Prerogative, Initiative, and Discretion to GRANT THIS "JOINT PETITION FOR A DIRECT APPEAL.. for a New Trial "FOR A REDRESS OF GRIEVANCES, ACCORDING TO AMERICAN CONSTITUTIONAL LAW FOR PETITIONER PRO SE" Janice Ching Yee, according to Title 28 UNITED STATES CODE, JUDICIARY AND JUDICIAL PROCEDURE, Section 1252, 1257(2), and 2101(c); wherefore 2403 may be applicable.

(Mrs.) Janice Ching Yee

(MRS.) JANICE CHING YEE  
PETITIONER PRO SE  
at: 3169 Alika Avenue  
Honolulu, Hawaii, 96817

Dated January 7, 1978

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Hawaii Attorney-General & Deputy  
for Respondents: BETTY VITOUSEK, JUDGE, ET AL;  
AND/OR; NORITO KAWAKAMI, JUDGE

AND/OR, Respondents: GERRY NAGAHISA, SOCIAL WORK-  
ER, ET AL;  
AND/OR: DR. BETTY ADAMS, PSYCHIATRIST,  
ET AL;

At: Hawaii State Capitol  
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190 S. King Street, Honolulu, Hi., 96813.

ATTORNEYS FOR RESPONDENTS.

IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 1977

No. 77 -

JANICE CHING YEE, PETITIONER PRO SE

vs.

ALFRED ALPHONSE YEE, AND, ALFRED A. YEE &  
ASSOCIATES; STEPHANIE KOKERNAK; ROBERT G.  
HOGAN and/or HOGAN, ROTHER, GRIMES, & BYBEE;  
BETTY VITOUSEK, JUDGE, and/or the FAMILY  
COURT of the FIRST CIRCUIT of the STATE OF  
HAWAII, AND/OR, NORITO KAWAKAMI, JUDGE,  
of the CIRCUIT COURT, FIRST CIRCUIT, STATE  
OF HAWAII; DR. BETTY ADAMS, PSYCHIATRIST,  
and/or HAWAII'S DEPARTMENT OF HEALTH,  
AND/OR, GERRY NAGAHISA, SOCIAL WORKER,  
and/or the ADULT SERVICE BRANCH of the STATE  
OF HAWAII'S FAMILY COURT, FIRST CIRCUIT;  
HAROLD NICKELSEN and/or CONROY, HAMILTON,  
GIBSON, NICKELSEN, & RUSH; JAMES E. KOSHIBA  
and/or the HAWAII STATE BAR ASSOCIATION;  
AND/OR ROBERT A. FRANKLIN;  
RESPONDENTS.

The matters stated therein are true to my knowledge, ex-  
cept such matters as are stated to be upon information and  
belief, and as to those matters, I believe them to be true.

*Mrs. Janice Ching Yee*

Mrs. Janice Ching Yee  
AFFIANT, Petitioner Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

Subscribed and sworn to,  
this 17th day of December, 1977.

signed Charles S. Skiff  
Notary Public

My commission expires.  
April 22, 1980

AFFIDAVIT OF PETITIONER PRO SE

AFFIANT, as Petitioner Pro Se Janice Ching Yee here; as  
Complainant; as Plaintiff-Appellant Pro Se in Hawaii's Supreme  
Court, or Plaintiff Pro Se in Hawaii's Circuit Court, Or Plaintiff  
and/or Plaintiff Pro Se in Hawaii's Family Court; is of the  
present address given, 3169 Alika Avenue, and the person who  
executed the foregoing instrument.

I have read the same and know the contents thereof, where  
same AFFIANT JANICE CHING YEE never intends perjury,  
delay, or frivolity.

NO. 77 -  
IN THE SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM 1977

**CERTIFICATE OF PETITIONER PRO SE**

I hereby certify to the best of my knowledge, strict adherence of the grounds specified, wherefore this "Joint Petition for a Direct Appeal for a REDRESS OF GRIEVANCES according to American Constitutional Law for Petitioner Pro Se" will be served on Respondents for this day of January 7, 1978

**EDWARD Y. C. CHUN** of CHUN, KERR & DODD  
Attorneys for Respondent ALFRED ALPHONE YEE, ET AL,  
At: Suite 1408, Amfac Building  
700 Bishop Street, Honolulu, Hi., 96813 ,

**STANLEY KANETAKE**  
Attorney for Respondent STEPHANIE KOKERNAK,  
At: 228 Kuulei Road, Kailua, Oahu, Hi., 96734,

**WILLIAM L. FLEMING** of CADES, SCHUTTE, FLEMING &  
WRIGHT

Attorneys for Respondents: ROBERT G. HOGAN, ET AL;  
HAROLD NICKELSEN, ET AL;  
AND/OR; JAMES KOSHIBA and/or the  
HAWAII STATE BAR ASSOCIATION,

At: Suite 1700, FHB Building  
165 S. King Street, Honolulu, Hi., 96813,

**WILLIAM McCORRISTON** of GOODSILL, ANDERSON and  
QUINN

Attorneys for Respondent EDWARD Y. C. CHUN, ET AL,  
At: Suite 1600, Castle & Cooke Building, Financial Plaza  
Honolulu, Hi., 96813

**RONALD AMEMIYA (694) & NELSON CHANG (726)**  
Hawaii Attorney-General & Deputy  
for Respondents: BETTY VITOUSEK, JUDGE, ET AL;  
AND/OR; NORITO KAWAKAMI, JUDGE  
AND/OR, Respondents: GERRY NAGAHISA, SOCIAL WORKER, ET AL;

AND/OR: DR. BETTY ADAMS, PSYCHIATRIST,  
ET AL;

At: Hawaii State Capitol  
415 S. Beretania St., Honolulu, Hi., 96813

**MAX GARCIA**  
Attorney for Respondent ROBERT A. FRANKLIN  
At: Suite 990, Pacific Trade Center,  
190 S. King Street, Honolulu, Hi., 96813.  
ATTORNEYS FOR RESPONDENTS.

Janice Ching Yee

JANICE CHING YEE  
PETITIONER PRO SE  
3169 Alika Avenue  
Honolulu, Hawaii 96817

## **Appendices**

## IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1977

CIVIL NO. 44240

JANICE CHING YEE  
Plaintiff-Appellant,  
v.  
ROBERT G. HOGAN, et al.,  
Defendants-Appellees.

CIVIL NO. 44869

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
STEPHANIE KOKERNAK,  
Defendant-Appellee.

CIVIL NO. 44245

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
EDWARD Y. C. CHUN, et al.,  
Defendant-Appellees.

CIVIL NO. 45123

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
BETTY VITOUSEK, et al.,  
Defendants-Appellees.

CIVIL NO. 44263

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
GERRY NAGAHISA, et al.,  
Defendants-Appellees.

) CIVIL NOS. 44240,  
) 44869, 44245, 45123,  
) 44263, 44244, 44262,  
) 44578 and  
) FC-D NO. 81258  
)  
) APPEAL FROM THE  
) MOTION TO REOPEN  
) AND CONSOLIDATE  
) CASES TITLED,  
) ACCORDING TO  
) HRS, CHAPTER  
) 657-20; MEMORAN-  
) DUMS OF LAW, AR-  
) GUMENTS, AND  
) EXHIBITS, IN SUP-  
) PORT OF MOTION:  
) MORE COMPREHEN-  
) SIVE AFFIDAVIT  
) FILED IN HAWAII  
) SUPREME COURT,  
) FILED FEBRUARY  
) 14, 1977  
)  
) FIRST CIRCUIT  
) COURT  
)  
) HONORABLE ARTHUR  
) K. S. FONG, JUDGE  
)  
)  
) ORDER DISMISSING  
) APPEAL  
)

APPENDIX "A"

CIVIL NO. 44244

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
HAROLD NICKELSEN, et al.,  
Defendants-Appellees.

CIVIL NO. 44262

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
JAMES E. KOSHIBA, et al.,  
Defendants-Appellees.

CIVIL NO. 44578

JANICE CHING YEE,  
Plaintiff-Appellant  
v.  
ROBERT FRANKLIN  
Defendant-Appellee.

FC-D NO. 81258

JANICE CHING YEE,  
Plaintiff-Appellant,  
v.  
ALFRED ALPHONSE YEE, et al.,  
Defendants-Appellees.

)  
FILED  
1977 NOV 17 AM 11:23  
/s/ Clement J. H. Chun  
CLERK SUPREME COURT

2. Appellees Robert G. Hogan, et al., Harold Nickelsen, et al., and James E. Koshiba, et al.'s Motion For Dismissal, filed herein on August 16, 1977, and Appellant's Motion To Strike Appellee's Motion For Dismissal; And/Or, In The Alternative, Motion For Summary Judgment For Appellant Pro Se JCY, filed on August 22, 1977, it is clear that the appeal herein is without merit, this court having previously disposed, on the merits, Supreme Court cases numbers 5971, 5969 and 5970; and

3. Appellees Edward Y. C. Chun and Chun, Kerr & Dodd's Motion To Dismiss Or Strike Appeal, filed herein on August 29, 1977, and Appellant's Motion To Strike Appellees' Illegal Motion For Dismissal, And/Or, In The Alternative, Motion For Summary Judgment For Appellant Pro Se JCY, filed on September 6, 1977, it is clear that the appeal herein is without merit, this court having previously disposed, on the merit, Supreme Court case number 5903.

IT IS THEREFORE ORDERED that the appeal herein is dismissed; and

IT IS FURTHER ORDERED that the clerk of the Supreme Court shall not accept any further motions, pleadings or appeals from the appellant, in this case and the substantive subject matter resolved in Supreme Court cases numbers 6008, 5924, 5971, 5969, 5970 and 5903, in order that appellant may not further abuse the judicial process and further cause unwarranted and unnecessary cost and attorney's fees in the future to the appellees.

IT IS ALSO ORDERED that, in the future, if appellant institutes further litigation on the same substantive subject matter in the court below, the appellant shall be subjected to the payment of all costs and reasonable attorney's fees incurred by the defendants, present appellees.

DATED: Honolulu, Hawaii, November 17, 1977.

/s/ William A. Richardson  
/s/ Bert T. Kobayashi  
/s/ Thomas G. Ogata  
/s/ Benjamin Menor  
/s/ Robert Won Bac Chang

S E A L

Upon consideration of:

1. Appellees Judge Betty Vitousek, [Judge Norito Kawakami], Gerry Nagahisa and Betty Adams' Motion for Dismissal, filed herein on August 3, 1977, and Appellant's Motion to Strike Motion for Dismissal By Appellees; And/Or, In The Alternative, Motion For Summary Judgment For Appellant Pro Se JCY, filed on August 8, 1977, it is clear that the appeal herein is without merit, this court having previously disposed, on the merits, Supreme Court cases numbers 6008 and 5924;

APPENDIX "A"

## IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1977

- CIVIL NO. 44240) CIVIL NOS. 44240,  
 JANICE CHING YEE,) 44869, 44245, 45123,  
 Plaintiff-Appellant,) 44263, 44244, 44262,  
 v.) 44578 and  
 ROBERT G. HOGAN, et al.,) FC-D NO. 81258  
 Defendants-Appellees.)  
CIVIL NO. 44869) APPEAL FROM THE  
 JANICE CHING YEE,) MOTION TO REOPEN  
 Plaintiff-Appellant,) AND CONSOLIDATE  
 v.) CASES TITLED,  
 STEPHANIE KOKERNAK,) ACCORDING TO  
 Defendant-Appellee.) HRS, CHAPTER  
CIVIL NO. 44245) 657-20; MEMORAN-  
 JANICE CHING YEE,) DUMS OF LAW, AR-  
 Plaintiff-Appellant,) GUMENTS, AND  
 v.) EXHIBITS, IN SUP-  
 EDWARD Y. C. CHUN, et al.,) PORT OF MOTION:  
 Defendant-Appellees.) MORE COMPREHEN-  
CIVIL NO. 45123) SIVE AFFIDAVIT  
 JANICE CHING YEE,) FILED IN HAWAII  
 Plaintiff-Appellant,) SUPREME COURT,  
 v.) FILED FEBRUARY  
 BETTY VITUOUSEK, et al.,) 14, 1977  
 Defendants-Appellees.)  
CIVIL NO. 44263) FIRST CIRCUIT  
 JANICE CHING YEE,) COURT  
 Plaintiff-Appellant,)  
 v.) HONORABLE ARTHUR  
 GERRY NAGAHISA, et al.,) K. S. FONG, JUDGE  
 Defendants-Appellees.)  
 ORDER DISMISSING  
 APPEAL

APPENDIX "B"

CIVIL NO. 44244 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
HAROLD NICKELSEN, et al., )  
Defendants-Appellees. )  
CIVIL NO. 44262 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
JAMES E. KOSHIBA, et al., )  
Defendants-Appellees. )  
CIVIL NO. 44578 )  
JANICE CHING YEE, )  
Plaintiff-Appellant )  
v. )  
ROBERT FRANKLIN )  
Defendant-Appellee. )  
FC-D NO. 81258 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
ALFRED ALPHONSE YEE, et al., )  
Defendants-Appellees. )

---

ORDER DISMISSING APPEAL

The Court being fully aware, through its own records herein, that this Court has disposed of the substantive issues involved in the appeal herein, which issues were resolved, on the merits, against appellant, Janice Ching Yee, in Supreme Court cases numbers 5943 and 5949, we conclude that appellant's appeal herein is without merit.

IT IS THEREFORE ORDERED, on this Court's own motion, that the appeal herein by the appellant, relative to Stephanie Kokernak and Robert Franklin, is dismissed.

IT IS FURTHER ORDERED that the clerk of the Supreme Court shall not accept any further motions, pleadings or appeals

from the appellant, in this case and the substantive subject matter resolved in Supreme Court cases numbers 5943 and 5949, in order that appellant may not further abuse the judicial process and further cause unwarranted and unnecessary costs and attorneys' fees in the future to the appellees.

IT IS ALSO ORDERED THAT, in the future, if appellant institutes further litigation on the same substantive subject matter in the court below, the appellant shall be subjected to the payment of all costs and reasonable attorneys' fees incurred by the defendants, present appellees.

DATED: Honolulu, Hawaii, November 17, 1977.

/s/ William A. Richardson  
/s/ Bert T. Kobayashi  
/s/ Thomas S. Ogata  
/s/ Benjamin Menor  
/s/ Robert Won Bac Chang

S E A L

FILED  
1977 NOV 17 AM 11:31  
/s/ Clement J. H. Chun  
CLERK SUPREME COURT

APPENDIX "B"

NO. 6529

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1977

<u>CIVIL NO. 44240</u>	)	FC-D No. 81258
JANICE CHING YEE	)	APPEAL FROM
Plaintiff-Appellant,	)	ORDER FILED
v.	)	MARCH 9, 1977
ROBERT G. HOGAN, et al.,	)	FIRST CIRCUIT
Defendants-Appellees.	)	COURT
<u>CIVIL NO. 44869</u>	)	HONORABLE BETTY
JANICE CHING YEE,	)	M. VITOUSEK,
Plaintiff-Appellant,	)	JUDGE
v.	)	
STEPHANIE KOKERNAK,	)	
Defendant-Appellee.	)	
<u>CIVIL NO. 44245</u>	)	
JANICE CHING YEE,	)	
Plaintiff-Appellant,	)	
v.	)	
EDWARD Y. C. CHUN, et al.,	)	
Defendant-Appellees.	)	
<u>CIVIL NO. 45123</u>	)	
JANICE CHING YEE,	)	
Plaintiff-Appellant,	)	
v.	)	
BETTY VITOUSEK, et al.,	)	
Defendants-Appellees.	)	
<u>CIVIL NO. 44263</u>	)	
JANICE CHING YEE,	)	
Plaintiff-Appellant,	)	
v.	)	
GERRY NAGAHISA, et al.,	)	ORDER DISMISSING
Defendants-Appellees.	)	APPEAL

FILED  
1977 NOV 17 AM 11:44  
*/s/ Clement J. H. Chun*  
CLERK SUPREME COURT

APPENDIX "C"

CIVIL NO. 44244 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
HAROLD NICKELSEN, et al., )  
Defendants-Appellees. )

CIVIL NO. 44262 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
JAMES E. KOSHIBA, et al., )  
Defendants-Appellees. )

CIVIL NO. 44578 )  
JANICE CHING YEE, )  
Plaintiff-Appellant )  
v. )  
ROBERT FRANKLIN )  
Defendant-Appellee. )

FC-D NO. 81258 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
v. )  
ALFRED ALPHONSE YEE, et al., )  
Defendants-Appellees. )

---

S E A L

/s/ William A. Richardson  
/s/ Bert T. Kobayashi  
/s/ Thomas S. Ogata  
/s/ Benjamin Menor  
/s/ Robert Won Bac Chang

ORDER DISMISSING APPEAL

Upon consideration of Appellee Alfred A. Yee's Motion To Dismiss Appellant Janice Ching Yee's appeal from Judge Vitousek's order filed March 9, 1977 (in Yee v. Yee, FC-D No. 81258), and it appearing clearly, from the record of the case, that the appeal was not filed in a timely fashion as required under Rule 73 of H. R. C. P.,

IT IS ORDERED that the said appeal is dismissed.

DATED: Honolulu, Hawaii, November 17, 1977.

APPENDIX "C"

**S E A L**

OFFICE OF THE CLERK  
SUPREME COURT OF HAWAII

EDWARD K. SUZUKI      P. O. BOX 2660  
CHIEF CLERK      HONOLULU, HAWAII 96804

SAMUEL K. MAKEKAU  
DEPUTY CLERK

August 22, 1977

Mr. William C. McCorriston  
Goodsill, Anderson & Quinn  
1600 Castle & Cooke Bldg.  
Financial Plaza of the Pacific  
Honolulu, Hawaii 96813

RE: S. C. No. 6529  
Janice Ching Yee vs.  
Edward Y. C. Chun, et al

Dear Mr. McCorriston:

The record on appeal in the above entitled matter was docted on April 18, 1977. The Plaintiff-Appellant's Opening Brief was filed on June 16, 1977, and the time for filing your Answering Brief expired on August 15, 1977.

This is to inform you that pursuant to Rule 3(f) of the Rules of the Supreme Court of Hawaii, appellee will not be heard except on consent of his adversary or by request of the court.

Very truly yours,  
/s/ Clement J. H. Chun  
Clerk

cc: Janice Ching Yee

**S E A L**

OFFICE OF THE CLERK  
SUPREME COURT OF HAWAII

EDWARD K. SUZUKI      P. O. BOX 2660  
CHIEF CLERK      HONOLULU, HAWAII 96804

SAMUEL K. MAKEKAU  
DEPUTY CLERK

August 22, 1977

Mr. Stanley T. Kanetake  
228 Kuulei Road  
Kailua, Hawaii 96734

RE: S. C. No. 6529  
Janice Ching Yee vs.  
Stephanie Kokernak

Dear Mr. Kanetake:

The record on appeal in the above entitled matter was docted on April 18, 1977. The Plaintiff-Appellant's Opening Brief was filed on June 16, 1977, and the time for filing your Answering Brief expired on August 15, 1977.

This is to inform you that pursuant to Rule 3(f) of the Rules of the Supreme Court of Hawaii, appellee will not be heard except on consent of his adversary or by request of the court.

Very truly yours,  
/s/ Clement J. H. Chun  
Clerk

cc: Janice Ching Yee

APPENDIX "D"

APPENDIX "E"

**S E A L**

**OFFICE OF THE CLERK  
SUPREME COURT OF HAWAII**

EDWARD K. SUZUKI                    SAMUEL K. MAKEKAU  
CHIEF CLERK                         DEPUTY CLERK  
P. O. BOX 2660                     HONOLULU, HAWAII 96804

August 22, 1977

Mr. Max N. Garcia  
Suite 990, Pacific Trade Center  
190 South King Street  
Honolulu, Hawaii 96813

RE: S. C. No. 6529  
Janice Ching Yee vs.  
Robert Franklin

Dear Mr. Garcia:

The record on appeal in the above entitled matter was docketed on April 18, 1977. The Plaintiff-Appellant's Opening Brief was filed on June 16, 1977, and the time for filing your Answering Brief expired on August 15, 1977.

This is to inform you that pursuant to Rule 3(f) of the Rules of the Supreme Court of Hawaii, appellee will not be heard except on consent of his adversary or by request of the court.

cc: Janice Ching Yee

Very truly yours,  
/s/ Clement J. H. Chun  
Clerk

APPENDIX "F"

**S E A L**

**SUPREME COURT OF HAWAII  
ALIIOLANI HALE  
HONOLULU**

CHAMBERS OF  
WILLIAM S. RICHARDSON  
CHIEF JUSTICE

July 25, 1977

Mrs. Janice Ching Yee  
3169 Alika Avenue  
Honolulu, Hawaii 96817

Dear Mrs. Yee:

Re: S.C. No. 6529  
Yee v Yee, et al.

The clerks of the Supreme Court Clerk's Office were correct in not accept the following motions for filing:

1. Motion for Relief of Order Filed June 29, 1977, dated June 30, 1977;
2. Motion to Amend Opening Brief to Include Additional Questions, Points of Error, and Arguments for Appellant, dated July 5, 1977; and
3. Amendment for Plaintiff-Appellant Pro Se's Opening Brief, dated July 18, 1977.

Yours truly,  
/s/ William R. Richardson  
Chief Justice

APPENDIX "G"

NO. 6529

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1977

**JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,**

vs.

- ) ) APPEAL TO RE -
- ) ) OPEN AND CON-
- ) ) SOLIDATE CASES
- ) ) TITLED, AND/OR
- ) ) APPEAL AGAINST
- ) ) DENIAL OF JURIS-
- ) ) DICTION BY THE
- ) ) LOWER CIRCUIT
- ) ) COURT TO RE -
- ) ) OPEN AND CON-
- ) ) SOLIDATE CASES
- ) ) TITLED, BOTH,
- ) ) ACCORDING TO
- ) ) HRS, CHAPTER
- ) ) 657-20; FOR QUES-
- ) ) TIONS OF LAW
- ) ) AND FACT, ALSO.

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL  
EDWARD Y. C. CHUN, ET AL  
BETTY VITOUSEK, JUDGE, ET AL.  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL  
WORKER, ET AL, AND/OR, DR.  
BETTY ADAMS, PSYCHIATRIST,  
ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR, THE  
HAWAII STATE BAR ASSOCIA-  
TION,  
ROBERT A. FRANKLIN,  
Defendants—Appellees

1977 NOV 31 AM 9:44  
Darrell N. Phillips  
CLERK SUPREME COURT

## **APPENDIX "I"**

) FIRST CIRCUIT  
 ) COURT, HAWAII  
 )  
 ) Hon. ARTHUR  
 ) S. K. FONG  
 ) Judge  
 -)

**NOTICE OF APPEAL TO THE SUPREME COURT  
OF THE UNITED STATES**

## CERTIFICATE OF SERVICE

(Mrs.) Janice Ching Yee  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii 96817

HRS= HAWAII REVISED STATUTES.

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1977

JANICE CHING YEE,  
Plaintiff—Appellant Pro Se,

vs.

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL  
EDWARD Y. C. CHUN, ET AL  
BETTY VITOUSEK, JUDGE, ET AL,  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL  
WORKER, ET AL, AND/OR, DR.  
BETTY ADAMS, PSYCHIATRIST,  
ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR, THE  
HAWAII STATE BAR ASSOCIA-  
TION,  
ROBERT A. FRANKLIN,  
Defendants—Appellees

) APPEAL TO RE -  
) OPEN AND CON-  
) SOLIDATE CASES  
 ) TITLED, AND/OR  
 ) APPEAL AGAINST  
 ) DENIAL OF JURIS-  
 ) DICTION BY THE  
 ) LOWER CIRCUIT  
 ) COURT TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, BOTH,  
 ) ACCORDING TO  
 ) HRS, CHAPTER  
 ) 657-20; FOR QUES-  
 ) TIONS OF LAW  
 ) AND FACT, ALSO.  
 )  
 ) FC-D #81258  
 ) Civ. #44869  
 ) Civ. #44240  
 ) Civ. #44245  
 ) Civ. #45123  
 )  
 )  
 ) Civ. #44263  
 )  
 )  
 )  
 ) Civ. #44244  
 ) Civ. #44262  
 )  
 )  
 ) Civ. #44578  
 )

) FIRST CIRCUIT  
 ) COURT, HAWAII  
 )  
 ) Hon. ARTHUR  
 ) S. K. FONG  
 ) Judge

---

NOTICE OF APPEAL TO THE SUPREME COURT  
OF THE UNITED STATES

---

NOTICE is hereby given that Janice Ching Yee, Plaintiff—Appellant Pro Se, above-named, hereby Appeals to the Supreme Court of the United States, from the final Order of the Supreme Court of Hawaii, for Dismissal, entered in Plaintiff—Appellant Pro Se's "APPEAL TO REOPEN AND CONSOLIDATE CASES TITLED, AND/OR APPEAL AGAINST DENIAL OF JURISDICTION BY THE LOWER CIRCUIT COURT TO REOPEN AND CONSOLIDATE CASES TITLED, BOTH, ACCORDING TO HRSt, CHAPTER 657-20; FOR QUESTIONS OF LAW AND FACT, ALSO" for Extension of Time to Appeal for a Redress of Grievances against Defendants—Appellees' "fraudulent concealment" of Conspiracy for Defamation, Libel, Slander, and Perjury for Deprivation for "Assassination" of Appellant's good character, good reputation as a capable American woman, same individual Appellant Pro Se Janice Ching Yee, a good name; on November 17, 1977.

This APPEAL is taken pursuant to Title 28, UNITED STATES CODE, Section 1257, subparagraph (2).

Dated December 1, 1977.

(Mrs.) Janice Ching Yee  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii 96817

CERTIFICATE OF SERVICE

I, Janice Ching Yee, Plaintiff—Appellant Pro Se, herein, hereby certify that on December 1, 1977, I served two (2) copies of the attached "NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES" for case HSC #6529, on each of the parties herein, by depositing such copies in the U.S. Post Office, Honolulu, Hawaii, by certified mail, properly post-paid and addressed to the following counsels at record at their respective offices:

Attorney Edward Y. C. Chun, of Chun, Kerr, & Dodd, for:  
Defendants—Appellees Alfred Alphonse Yee, et al,  
at: Suite 1408, Amfac Bldg., 700 Bishop St., Hon, HI.

Attorney Stanley Kanetake  
for: Defendant—Appellee Stephanie Kokernak  
at: 228 Kuulei Road, Kailua, Oahu, 96734

Attorney Wm. Fleming of Cades, Schutte, Fleming &  
Wright  
for: Defendants—Appellees: Robert G. Hogan, et al;  
Harold Nickelsen, et al;  
AND/OR James E. Koshiba, &/or  
the HSBA†  
at: 1700 FHB Bldg., 165 S. King St., Hon., HI 96813

Attorney Wm. McCorriston of Goddsill, Anderson, & Quinn  
for: Defendants—Appellees Edward Y. C. Chun, et al,  
at: 1600, Castle & Cooke Bldg., Financial Plaza, Hon., HI.

Attorney-General R. Amemiya &/or Deputy Nelson Chang  
for: Defendants—Appellees: Gerry Nagahisa, et al  
AND/OR Dr. Betty Adams, et al

AND/OR  
Defendants—Appellees: Judge Betty Vitousek, et al  
AND/OR Judge Norito Kawakami  
at: Hawaii State Capitol, 415 Beretania St., Hon., HI.

Attornev Max Garcia  
for Defendant—Appellee Robert A. Frankiin  
at: 990, Pacific Trade Center, 190 S. King St., Hon., HI.

All parties required to be served have been served.

Dated: December 1, 1977.

(Mrs.) Janice Ching Yee  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii  
96817

APPENDIX "I"

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii 96817  
Telephone: 595-3426

PLAINTIFF (APPELLANT) *pro se*

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff (Appellant) *pro se*, )  
vs. )  
ROBERT G. HOGAN, and/or HOGAN, ) CIV. #44240  
ROTHER, GRIMES, & BYBEE, )  
STEPHANIE KOKERNAK, ) CIV. #44869  
EDWARD Y. C. CHUN, and/or CHUN, ) CIV. #44245  
KERR, & DODD, )  
BETTY VITUOUSEK, JUDGE, and/or ) CIV. #45123  
the FAMILY COURT of the )  
FIRST CIRCUIT of the )  
STATE OF HAWAII, and/or )  
NORITO KAWAKAMI, JUDGE, of the )  
FIRST CIRCUIT COURT of the )  
STATE OF HAWAII )  
GERRY NAGAHISA, SOCIAL ) CIV. #44263  
WORKER, and/or the ADULT SERV- )  
ICE BRANCH of the STATE OF )  
HAWAII'S FAMILY COURT of the )  
FIRST CIRCUIT, and/or )  
BETTY ADAMS, PSYCHIATRIST, )  
and/or the DEPARTMENT OF )  
HEALTH of the STATE OF HAWAII )  
HAROLD NICKELSEN, and/or CON- ) CIV. #44244  
ROY, HAMILTON, GIBSON, )  
NICKELSEN, & RUSH. )

JAMES E. KOSHIBA, and/or the ) CIV. #44262  
HAWAII BAR ASSOCIATION )  
ROBERT A. FRANKLIN, ) CIV. #44578  
ALFRED ALPHONSE YEE, and/or ) CIV. #(FC-D #81258)  
ALFRED A. YEE & ASSOCIATES, )  
Defendants (Appellees). )  
) Notice of Appeal  
) Designation of  
) Record on Appeal

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN, where Plaintiff *Pro Se* Janice Ching Yee, Appeals to the Supreme Court of Hawaii to "Reopen and Consolidate Cases Titled," and/or, Appeals against the lower Circuit Court's Denial of Jurisdiction to consider Plaintiff *Pro Se*'s "Motion to Reopen and Consolidate Cases Titled," according to Hawaii Revised Statutes, Chapter 657-20," and Appeals to the Supreme Court of Hawaii to Grant this Motion.

MRS. JANICE CHING YEE  
Plaintiff (Appellant) *Pro Se*  
3169 Alika Avenue  
Honolulu, Hawaii 96817

Dated March 7, 1977

**MRS. JANICE CHING YEE**  
3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Telephone: 595-3426

**PLAINTIFF (APPELLANT) *Pro Se***

**IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII**

JANICE CHING YEE,	)
Plaintiff Appellant) <i>Pro Se</i>	)
	)
vs.	) CIVIL
	) (and Criminal)
ROBERT G. HOGAN, et al,	) CIV. #44240
STEPHANIE KOKERNAK,	) CIV. #44869
EDWARD Y. C. CHUN, et al,	) CIV. #44245
BETTY VITOUSEK, JUDGE, et al,	) CIV. #45123
and/or NORITO KAWAKAMI, JUDGE)	
GERRY NAGAHISA, SOCIAL WORK-	) CIV. #44263
ER, et al, and/or BETTY ADAMS,	)
PSYCHIATRIST, et al,	)
HAROLD NICKELSEN, et al,	) CIV. #44244
JAMES E. KOSHIBA, and/or	) CIV. #44262
the HAWAII BAR ASSOCIATION,	)
ROBERT A. FRANKLIN,	) CIV. #44578
ALFRED ALPHONSE YEE, et al,	) CIV. #
Defendants (Appellees).	) FC-D #81258
	) Designation
	) of Record
	) on Appeal

of Proceedings in cases Civil #44240 (HSC•No. 5971), Civil #44869 (HSC•No. 5943), Civil #44245 (HSC•No. 5903), Civil #45123 (HSC•No. 6008), Civil #44263 (HSC•No. 5924), Civil #44244 (HSC•No. 5969), Civil #44262 (HSC•No. 5970), Civil #44578 (HSC•No. 5949), and FC-D #81258 (HSC•No. 5930 and HSC•No. 6102).

**MRS. JANICE CHING YEE**  
Plaintiff (Appellant) *Pro Se*  
3169 Alika Avenue  
Honolulu, Hawaii 96817

*Dated March 7, 1977*

**DESIGNATION OF RECORD ON APPEAL**

The Plaintiff *Pro Se* Janice Ching Yee hereby designates as the Record, the complete Records, Transcripts, and File

MRS. JANICE CHING YEE  
3169 Alike Avenue  
Honolulu, Hawaii 96817

PLAINTIFF (APPELLANT) *Pro Se*

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE  
Plaintiff (Appellant) *Pro Se*

vs.

ALFRED ALPHONSE YEE, et al.,

STEPHANIE KOKERNAK,

ROBERT G. HOGAN, et al.,

EDWARD Y. C. CHUN, et al.,

BETTY VITOUSEK, JUDGE, et al.,

and/or NORITO KAWAKAMI, Judge,

GERRY NAGAHISA, et al.,

and/or DR.† BETTY ADAMS, et al.,

HAROLD NICELSEN, et al.,

JAMES E. KOSHIBA, and/or

THE HAWAII BAR ASSOCIATION

ROBERT A. FRANKLIN,

Defendants-Appellees.

- ) Supplemental
- ) Notice of
- ) Appeal,
- ) *Nunc Pro Tunc*, \*
- ) March 14, 1977
- ) Designation of
- ) Supplemental
- ) Record on
- ) on Appeal
- ) FC-D #81258
- ) Civ. #44869
- ) Civ. #44240
- ) Civ. #44245
- ) Civ. #45123
- ) Civ. #44263
- ) Civ. #44244
- ) Civ. #44262
- )
- ) Civ. #44578
- ) Certificate
- ) (Not included
- ) here)

SUPPLEMENTAL NOTICE OF APPEAL

*Nunc Pro Tunc*, March 14, 1977

APPENDIX "H-b"

NOTICE IS HEREBY GIVEN for SUPPLEMENTAL NOTICE, filed, *Nunc Pro Tunc*, March 14, 1977, for APPEAL to Hawaii's Supreme Court against the lower Hawaii's Family Court's "Order Denying Motion for Retrial for Reconsideration, Relief, and Amendment," filed March 9, 1977, in Hawaii's Family Court ("tCR," p. 740); as for inclusion of all subsequent pleadings, filed: \*

March 14, 1977—docketed—"tCR," p. 741-761; 762;  
March 21, 1977—docketed—"tCR," p. 774-778;  
March 29, 1977—docketed—"tCR," p. 779-781;  
March 29, 1977—docketed—"tCR," p. 782-804;  
April 26, 1977—not docketed;  
April 28, 1977—not docketed;  
June 8, 1977—not docketed;

for Plaintiff (Appellant) *Pro Se* Janice Ching Yee for consideration for APPEAL, according to Hawaii Revised Statutes, Chapter 571-54, against the lower Family Court's prejudiced "Denial," which was an Erroneous, Prejudiced, Reversible Order, which "injuriously affected the substantial rights of the Appellant" (according to HRS, Chapter 641-2) *Pro Se* JCY, who pleads for timeliness, *Nunc Pro Tunc*, March 14, 1977, when Appellant *Pro Se* Appealed in the wrong Court, "inadvertantly;" and hereby APPEALS for excuse of this "inadvertant error," per HRCP, Rule 60(b)(1) for this "Motion for a New Trial, or, in the alternative, Motion for Relief From Judgment or Order; Motion for Dismissal (excuse "inadvertant error" of wording for "Disqualification") of Judge Betty Vitousek;" etc.; and its subsequent "Additional Arguments," etc.; and "Amendments," etc.

May the Court accept all of the rest of the Pleadings for same Appellant *Pro Se* JCY as very pertinent for "just adjudication" for Plaintiff-Appellant's cases and for pertinent consideration and fast determination by Hawaii's Supreme Court for same Appellant Janice Ching Yee.

MRS. JANICE CHING YEE  
Plaintiff-Appellant *Pro Se*  
3169 Alika Avenue  
Honolulu, Hawaii 96817

Dated July 5, 1977

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE ) Designation of  
Plaintiff (Appellant) *Pro Se* ) Supplemental  
vs. ) Record on  
                        ) Appeal  
                        ) )

ALFRED ALPHONSE YEE, et al., ) FC-D #81258  
STEPHANIE KOKERNAK, ) Civ. #44869  
ROBERT C. HOGAN, et al., ) Civ. #44240  
EDWARD Y. C. CHUN, et al., ) Civ. #44245  
BETTY VITOUSEK, JUDGE, et al., ) Civ. #45123  
and/or NORITO KAWAKAMI, Judge, )  
GERRY NAGAHISA, et al., ) Civ. #44283  
and/or DR.† BETTY ADAMS, et al., )  
HAROLD NICKELSEN, et al., ) Civ. #44244  
JAMES E. KOSHIBA, and/or ) Civ. #44282  
THE HAWAII BAR ASSOCIATION, )  
ROBERT A. FRANKLIN, ) Civ. #44578  
Defendants (Appellees) ) .

DESIGNATION OF SUPPLEMENTAL RECORD  
ON APPEAL

PLAINTIFF (APPELLANT) *Pro Se* JANICE CHING  
YEE HEREBY DESIGNATES AS THE SUPPLEMENTAL  
RECORD ON APPEAL, all of the Supplemental Records of  
Plaintiff (Appellant's) pleadings, Transcripts, and Files of  
Proceedings for case FC-D #81258, to be included for the  
Court Records for case HSC #6529.

MRS. JANICE CHING YEE  
Plaintiff Appellant) *Pro Se*  
3169 Alika Avenue  
Honolulu, Hawaii 96817

Dated July 5, 1977

†for identification of Defendant (Appellee) Betty Adams Psychiatrist, as  
Defendant (Appellee) Dr. Betty Adams.

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,

vs.

BETTY VITOUSEK, Judge,  
and/or  
the FAMILY COURT of the  
FIRST CIRCUIT of the  
STATE OF HAWAII  
Defendants-Appellees.

) CIVIL NO. 45123  
 ) APPEAL FROM THE  
 ) ORDER GRANTING  
 ) MOTION TO DIS-  
 ) MISS FOR DEFEND-  
 ) ANTS' FILED  
 ) AUGUST 28, 1975  
 ) FIRST CIRCUIT  
 ) COURT  
 ) Honorable Harold Y.  
 ) Shintaku  
 ) Judge  
)

AMENDMENT OF OPENING BRIEF

I hereby certify that a copy of the  
Amendment will be served on:

RONALD AMEMIYA 694  
CEDRIC CHOI 1375  
Attorney General & Deputy  
for: Judge Betty M. Vitousek  
HAWAII STATE CAPITOL  
415 S. Beretania Street,  
Honolulu, Hawaii

this 23rd day of March, 1976.

/s/ Mrs. Janice Ching Yew  
MRS. JANICE CHING YEE  
Plaintiff-Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

APPENDIX "J"

NO. 6008

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,

vs.

BETTY VITOUSEK, Judge,  
and/or  
the FAMILY COURT of the  
FIRST CIRCUIT of the  
STATE OF HAWAII  
Defendants-Appellees.

) CIVIL NO. 45123  
 ) APPEAL FROM THE  
 ) ORDER GRANTING  
 ) MOTION TO DIS-  
 ) MISS FOR DEFEND-  
 ) ANTS' FILED  
 ) AUGUST 28, 1975  
 ) FIRST CIRCUIT  
 ) COURT  
 ) Honorable Harold Y.  
 ) Shintaku  
 ) Judge  
)

AMENDMENT OF OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions for Amendment  
of the Opening Brief, according to Rule 15 of HAWAII'S RULES  
OF CIVIL PROCEDURE, whereby ALL members of Hawaii's  
Family Court OR Hawaii Bar Association OR Clerks of Hawaii's  
Supreme Court, who were not involved in the Conspiracy as  
Contributory Conspirators\* for Prejudiced Persecution by Ma-  
licious Abuse of Judicial Process, as Coercion of Non-assertion  
of Legal Rights for Plaintiff-Appellant Pro Se, Janice Ching Yee,  
against this Malicious Abuse of Judicial Process for Defamation,  
Libel, and Slander for Deprivation of Income and Legal Rights  
for same Plaintiff-Appellant, can sign an affidavit under oath  
swearing they were not or are not involved in the Conspiracy as  
Contributory Conspirators\* in the Civil Case. No. 44123, which  
is on Appeal in Hawaii's Supreme Court as HSC+ No. 6008.  
Dated, March 23, 1976

/s/ Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff-Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

\* page 2.

+ HSC - HAWAII'S SUPREME COURT.

\*Conspirators\*:

- \* Alfred Alphonse Yee &/or Alfred A. Yee & Associates  
HSC #6102
- Stephanie Kokernak, HSC #5943
- Edward Chung &/or Chun, Kerr, & Dodd, HSC #5903;  
USSC #75-1143
- Robert Hogan &/or Hogan, Rother, Grimes, & Bybee,  
HSC #5971
- Judge B. M. Vitousek &/or the Family Court of the First  
Circuit of the State of Hawaii, HSC #6008
- Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR  
Gerry Nagahisa &/or the Adult Service Branch of the State  
of Hawaii's Family Court, First Circuit, HSC #5924
- Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen  
& Rush, HSC #5969
- James Koshiba &/or the Hawaii Bar Association, HSC #5970
- Robert Franklin, HSC #5949, pending appeal to USSC++

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE, ) CIVIL NO. 44262  
Plaintiff-Appellant Pro Se, ) APPEAL FROM  
vs. ) THE JUDGEMENT  
JAMES E. KOSHIBA ) "IN TOTO" FILED  
and/or ) JUNE 16, 1975  
the HAWAII BAR ASSOCIATION ) FIRST CIRCUIT  
Defendants-Appellees. ) COURT  
)) Honorable Norito  
)) Kawakami  
)) Judge  
))

AMENDMENT OF OPENING BRIEF

I hereby certify a copy of this Amendment will be  
served on:  
**WILLIAM FLEMING &/OR EDWARD deLAPPE BOYLE  
CADES, SCHUTTE, FLEMING, & WRIGHT**  
165 South King Street  
Honolulu, Hawaii, 96813  
Attorneys for: **KOSHIBA &/OR HAWAII BAR ASSOC.**  
Defendants-Appellees

this 23rd day of March, 1976.

/s/ Mrs. Janice Ching Yee  
**MRS. JANICE CHING YEE**  
Plaintiff-Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

NO. 5970

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,  
vs.  
JAMES E. KOSHIBA  
and/or  
the HAWAII BAR ASSOCIATION  
Defendants-Appellees.

) CIVIL NO. 44262  
 ) APPEAL FROM  
 ) THE JUDGEMENT  
 ) "IN TOTO" FILED  
 ) JUNE 16, 1975  
 ) FIRST CIRCUIT  
 ) COURT  
 ) Honorable Norito  
 ) Kawakami  
 ) Judge

---

AMENDMENT OF OPENING BRIEF

Plaintiff-Appellant Pro Se hereby Motions for Amendment of the Opening Brief, according to Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE, whereby ALL members of Hawaii's Bar Association, who were not involved in the Conspiracy as Contributory Conspirators\* for Prejudiced Persecution by Malicious Abuse of Judicial Process, as Coercion of Non-assertion of Legal Rights for Plaintiff-Appellant Pro Se Janice Ching Yee against this Malicious Abuse of Judicial Process for Defamation, Libel, and Slander for Deprivation of Income and Legal Rights for same Appellant Pro Se, can sign an Affidavit under oath, swearing they were not or are not involved in the Conspiracy as Contributory Conspirators\* in the Civil Case No. 44262, which is on Appeal in Hawaii's Supreme Court as HSC<sup>†</sup> NO. 5970.

Dated, March 23, 1976.

/s/ Mrs. Janice Ching Yee  
Plaintiff-Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

\*CONSPIRATORS\*

Alfred Alphonse Yee &/or Alfred A. Yee & Associates HSC #6102  
Stephanie Kokernak, HSC #5943  
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903;  
USSC #75-1143  
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971  
Judge B. M. Vitousek &/or the Family Court of the First Circuit  
of the State of Hawaii, HSC # 008  
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR  
Gerry Nagahisa &/or the Adult Service Branch of the State  
of Hawaii's Family Court, First Circuit, HSC #5924  
Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen  
& Rush, HSC #5970  
Robert Franklin, HSC #5949, pending appeal to USSC++

\* page 2.

† HSC - HAWAII SUPREME COURT.

++ USSC - UNITED STATES SUPREME COURT

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE,  
Plaintiff—Appellant Pro Se,  
vs.  
GERRY NAGAHISA, Social Worker,  
and/or  
the ADULT SERVICE BRANCH of  
the STATE OF HAWAII'S FAMILY  
COURT of the FIRST CIRCUIT  
AND/OR  
the DEPARTMENT OF HEALTH  
OF THE STATE OF HAWAII,  
Defendants—Appellees.

) CIVIL NO. 44263  
 ) APPEAL FROM THE  
 ) ORDER FILED MAY  
 ) 7, 1975, DENYING  
 ) MOTION FOR RE-  
 ) TRIAL FOR PLAINT-  
 ) IFF:  
 ) MOTION TO AMEND  
 ) COMPLAINT;  
 ) MOTION TO STRIKE  
 ) OPPOSITION;  
 ) AND MOTION FOR  
 ) SUMMARY JUDGE-  
 ) MENT FOR PLAINT-  
 ) IFF  
 ) FIRST CIRCUIT  
 ) COURT  
 ) Honorable Norito  
 ) Kawakami  
 ) Judge  
 )

AMENDMENT OF OPENING BRIEF

I hereby certify a copy of this Amendment will be served on Attorney General & Deputy:

RONALD AMEMIYA 694  
NELSON CHANG 726  
for: ADAMS, ET AL, &/OR NAGAHISA, ET AL  
Defendants—Appellees.

State Capitol Building  
415 S. Beretania Street  
Honolulu, Hawaii

this 23rd day of March, 1976

/s/ Mrs. Janice Ching Yee  
MRS. JANICE CHING YEE  
Plaintiff—Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

APPENDIX "L"

NO. 5924

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1975

JANICE CHING YEE,  
Plaintiff—Appellant Pro Se,  
vs.  
GERRY NAGAHISA, Social Worker,  
and/or  
the ADULT SERVICE BRANCH of  
the STATE OF HAWAII'S FAMILY  
COURT of the FIRST CIRCUIT  
AND/OR  
the DEPARTMENT OF HEALTH  
OF THE STATE OF HAWAII,  
Defendants—Appellees.

) CIVIL NO. 44263  
 ) APPEAL FROM THE  
 ) ORDER FILED MAY  
 ) 7, 1975, DENYING  
 ) MOTION FOR RE-  
 ) TRIAL FOR PLAINT-  
 ) IFF:  
 ) MOTION TO AMEND  
 ) COMPLAINT;  
 ) MOTION TO STRIKE  
 ) OPPOSITION;  
 ) AND MOTION FOR  
 ) SUMMARY JUDGE-  
 ) MENT FOR PLAINT-  
 ) IFF  
 ) FIRST CIRCUIT  
 ) COURT  
 ) Honorable Norito  
 ) Kawakami  
 ) Judge  
 )

AMENDMENT OF OPENING BRIEF

Plaintiff—Appellant Pro Se hereby Motions for Amendment of the Opening Brief, according to Rule 15 of HAWAII'S RULES OF CIVIL PROCEDURE, whereby ALL members of Hawaii's Family Court OR Hawaii's Department of Health, who were not involved in the Conspiracy as Contributory Conspirators\* for Prejudiced Persecution by Malicious Abuse of Judicial Process, as Coercion of Non-assertion of Legal Rights for Plaintiff—Appellant Pro Se, Janice Yee against this Malicious Abuse of Judicial Process for Defamation, Libel, and Slander for Deprivation of Income and Legal Rights for same Plaintiff—Appellant, can sign an affidavit under oath swearing they were not or are not involved in the Conspiracy as Contributory Conspirators\* in the Civil Case No. 44263, which is on Appeal in Hawaii's Supreme Court as HSC<sup>†</sup> NO. 5924.

- \* page 2
- \* HSC — HAWAII SUPREME COURT

Dated, March 23, 1976.

NO. 6529

/s/ Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff-Appellant Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

\*CONSPIRATORS\*:

Alfred Alphonse Yee &/or Alfred A. Yee & Associates HSC #6102  
Stephanie Kokernak, HSC #5943  
Edward Chun &/or Chun, Kerr, & Dodd, HSC #5903;  
USSC #75-1143  
Robert Hogan &/or Hogan, Rother, Grimes, & Bybee, HSC #5971  
Judge B. M. Vitousek &/or the Family Court of the First Circuit  
of the State of Hawaii, HSC # 008  
Dr. Betty Adams &/or Hawaii's Dept. of Health, AND/OR  
Gerry Nagahisa &/or the Adult Service Branch of the State  
of Hawaii's Family Court, First Circuit, HSC #5924  
Harold Nickelsen &/or Conroy, Hamilton, Gibson, Nickelsen  
& Rush, HSC #5970  
Robert Franklin, HSC #5949, pending appeal to USSC++

**IN THE SUPREME COURT OF THE STATE OF HAWAII**

OCTOBER TERM 1977

JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,

vs.

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL  
EDWARD Y. C. CHUN, ET AL  
BETTY VITOUSEK, JUDGE, ET AL,  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL  
WORKER, ET AL, AND/OR, DR.  
BETTY ADAMS, PSYCHIATRIST,  
ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR, THE  
HAWAII STATE BAR ASSOCIA-  
TION,  
ROBERT A. FRANKLIN,  
Defendants—Appellees

) APPEAL TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, AND/OR  
 ) APPEAL AGAINST  
 ) DENIAL OF JURIS-  
 ) DICTION BY THE  
 ) LOWER CIRCUIT  
 ) COURT TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, BOTH,  
 ) ACCORDING TO  
 ) HRS, CHAPTER  
 ) 657-20; FOR QUES-  
 ) TIONS OF LAW  
 ) AND FACT, ALSO.  
 )  
 ) FC-D #81258  
 ) Civ. #44869  
 ) Civ. #44240  
 ) Civ. #44245  
 ) Civ. #45123  
 )  
 )  
 ) Civ. #44263  
 )  
 )  
 )  
 ) Civ. #44244  
 ) Civ. #44262  
 )  
 )  
 ) Civ. #44578  
)

↔ USSC - UNITED STATES SUPREME COURT

## APPENDIX "LD"

NO. 6529

) FIRST CIRCUIT  
)) COURT, HAWAII  
))  
)) Hon. ARTHUR  
)) S. K. FONG  
)) Judge  
))

**MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977**

**MEMORANDUMS OF LAW AND ARGUMENTS  
IN SUPPORT OF MOTION**

**CERTIFICATE OF SERVICE**

- (Mrs.) Janice Ching Yee  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii 96817

Dated: November 21, 1977.

**IN THE SUPREME COURT OF THE STATE OF HAWAII**

OCTOBER TERM 1977

JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,

vs.

) APPEAL TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, AND/OR  
 ) APPEAL AGAINST  
 ) DENIAL OF JURIS-  
 ) DICTION BY THE  
 ) LOWER CIRCUIT  
 ) COURT TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, BOTH,  
 ) ACCORDING TO  
 ) HRS, CHAPTER  
 ) 657-20; FOR QUES-  
 ) TIONS OF LAW  
 ) AND FACT, ALSO.  
)

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL  
EDWARD Y. C. CHUN, ET AL  
BETTY VITOUSEK, JUDGE, ET AL,  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL  
WORKER, ET AL, AND/OR, DR.  
BETTY ADAMS, PSYCHIATRIST,  
ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR, THE  
HAWAII STATE BAR ASSOCIA-  
TION,  
ROBERT A. FRANKLIN,  
Defendants—Appellees

) FIRST CIRCUIT  
)) COURT, HAWAII  
))  
)) Hon. ARTHUR  
)) S. K. FONG  
)) Judge  
-)

MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977

Plaintiff-Appellant Pro Se Janice Ching Yee, hereby APPEALS and MOTIONS FOR RELIEF OF ORDER by Hawaii's Supreme Court, according to HAWAII SUPREME COURT RULES, RULE 1 (a) (1) for †HAWAII RULES OF CIVIL PROCEDURE, RULE 60 (b) (1), (b) (2), (b) (3), (b) (4), and (b) (6); thereby for a NEW TRIAL, according to HR of CP,† RULE 59 (a) and (d); AND/OR HAWAII SUPREME COURT RULES. CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS 7-21 and 7-22, for Plaintiff-Appellant Pro Se's Challenge of the Hawaii Supreme Court's gross, Prejudiced Errors, as Conflict for Contributory Conspiracy for "Fraudulent Concealment" of Assassination of Appellant JCY's good character, reputation, and good name Janice Ching Yee for Challenge of the Hawaii Supreme Court's Error as Conflict for Contributory "FRAUD" against the CONSTITUTION OF THE UNITED STATES AND THE STATE OF HAWAII.

(Mrs.) Janice Ching Yee  
Plaintiff-Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii, 96817

Dated, November 21, 1977.

NO. 6529

IN THE SUPREME COURT OF THE STATE OF HAWAII

OCTOBER TERM 1977

**JANICE CHING YEE,  
Plaintiff-Appellant Pro Se,**

VS

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL  
EDWARD Y. C. CHUN, ET AL  
BETTY VITOUSEK, JUDGE, ET AL,  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL  
WORKER, ET AL, AND/OR, DR.  
BETTY ADAMS, PSYCHIATRIST,  
ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR, THE  
HAWAII STATE BAR ASSOCIA-  
TION,  
ROBERT A. FRANKLIN,  
Defendants—Appellees

) APPEAL TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, AND/OR  
 ) APPEAL AGAINST  
 ) DENIAL OF JURIS-  
 ) DICTION BY THE  
 ) LOWER CIRCUIT  
 ) COURT TO RE -  
 ) OPEN AND CON-  
 ) SOLIDATE CASES  
 ) TITLED, BOTH,  
 ) ACCORDING TO  
 ) HRS, CHAPTER  
 ) 657-20; FOR QUES-  
 ) TIONS OF LAW  
 ) AND FACT, ALSO.  
 )  
 ) FC-D #81258  
 ) Civ. #44869  
 ) Civ. #44240  
 ) Civ. #44245  
 ) Civ. #45123  
 )  
 )  
 ) Civ. #44263  
 )  
 )  
 )  
 ) Civ. #44244  
 ) Civ. #44262  
 )  
 )  
 ) Civ. #44578  
)

) FIRST CIRCUIT  
 ) COURT, HAWAII  
 )  
 ) Hon. ARTHUR  
 ) S. K. FONG  
 ) Judge  
)

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#### MEMORANDUMS OF LAW AND ARGUMENTS IN SUPPORT OF MOTION

Plaintiff—Appellant Pro Se \*Janice Ching Yee, hereby APPEALS and MOTIONS FOR RELIEF OF ORDER, filed November 17, 1977 wherefore this Hawaii Supreme Court:

1. in Error, adjudged the villainous "merits" of Defendants—Appellees, and not Plaintiff—Appellant Pro Se's good "merits" for claims for FREEDOM for same individual Appellant JCY\* as a good, capable woman with "merits" for claims for a Redress of Grievances for same Appellant Pro Se; as Monetary Relief as Restitution against Damages incurred by Defendants—Appellees of all cases as Exhibited in APPENDIX "C", of Appellant's OPENING BRIEF, filed June 16, 1977, here; for, reiteration of EXHIBIT "C", of same Pro Se's "MOTION TO RE-OPEN", etc., filed in Hawaii's Lower Circuit Court on February 14, 1977; AND for Judicial Relief as Expungement of defamatory, libelous, slanderous, perjury by all Defendants—Appellees, including one hundred fifty-six (156) members of Hawaii's State Bar Association who refused to help "uphold the Constitution of the United States or the Laws of Hawaii", therefore perjuring against the Hawaii State Bar Association's Lawyers' Oath of Office.

With discretionary Jurisdiction, This Court can Expunge, and may it do so, Plaintiff—Appellant Pro Se's record of an unfair defamatory, libelous, slanderous, perjurous "guardian ad litem", Defendants—Appellee Harold Nickelsen, who was not necessary for Plaintiff—Appellant JCY\* who was not accorded "due process of law", for the illegal "guardian ad litem" was ordered without a proper hearing in the lower Family Court, which would not dismiss this void "guardian" till after thirteen (13)

months of harassment and humiliation, and then it was refused "Expungement" by Hawaii's Attorney-General Amemiya's office, which was then Conflict by Amemiya as Attorney for:

- a) Defendants—Appellees Judge Betty Vitousek, et al, whose illegal ex—"guardian ad litem" was extreme malicious abuse of judicial process AND/OR whose recent illegal undismissed Court Commissioner as a type of Court Trustee is a Contributory "Gross Cheat" for Defendants—Appellee Alfred Alphonse Yee et al, which is "double jeopardy" against the Fifth Amendment and was refused dismissal or Relief of Judgment OF Judge Betty Vitousek's judicial violence for "judicial financial enslavement", which exposed Judge Betty Vitousek's Maliced Prejudice or gross incompetance, as evidenced by delay of sixty-two (62) months for a Complete Financial Equitable Settlement for a simple divorce case won by JCY, Plaintiff—Appellant as Complainant for "Final absolute divorce", filed March 1, 1973.
- b) Defendants—Appellees Judge Norito Kawakami, who said "What if I were to tell you, you won't get anything out of this?", previous to the first hearing of eight (8) cases whereof Judge Harold Shintaku substituted in the case against Vitousek, et al and followed Kawakami's prejudice for dismissal of Complaints against Defendant—(Appellees) Vitousek who was "guilty" of more unconstitutional crime than the other Defendants—(Appellees), who were dismissed by Judge Kawakami, who was frivolous for Kawakami's (Defendants—Appellee) prejudice; which was intentional bias against Plaintiff—(Appellant) Pro Se for Appellant's good Complaints and/or good credibility of my pleas against the "guardian ad litem" as defamatory, libelous, and slanderous perjury for assassination of JCY's character.
- c) Defendants—Appellees Dr. Betty Adams' defamatory, libelous, slanderous, perjured "severe chronic mental illness" psychiatric report (among other libel) which was accepted by malicious Judge Betty Vitousek for her "guardian ad litem" as a tool for assassination of Appellant's good character,good reputation, and good

name \*Janice Ching Yee for permanent custody of Ian Yee, Appellant's minor son to real Mother JCY\*. Whereof perfidious traitor ex-attorney Robert Hogan, et al, refused or neglected to Appeal for custody or against the "severe chronic mental illness" Dr. Betty Adams report or testimony, which should be "Expunged", and with discretionary Jurisdiction, this Court can and may it do so.

- d) Defendants—Appellees Social Worker Gerry Nagahisa et al's defamatory, libelous, slanderous perjury repeating and expanding on Defendants—Appellees Alfred Alphonse Yee's defamatory, libelous, slanderous perjury as evidenced by the "Father's Statement and Plan", which is all false and defamatory, libelous, slanderous perjury and all of which should be "Expunged" for Appellant, also against Appellee Nagahisa's prejudiced defamatory, libelous, slanderous perjured "Evaluation", which is all false, against Appellant who continues to do Appellant JCY's best for all of the children and all of the points pled earlier for Plaintiff—Appellant Pro Se against the "Evaluation" which should be "Expunged". Even the testimony by the Children should be "Expunged" for it should not be applicable anyway, and the Children "don't remember saying that".

Also, Defendants—Appellees James Koshiba (and/or the Hawaii State Bar Association) as ex-Ethics Chairman of the HBSA's Ethics Committee's denial of Robert Hogan's "unethical misconduct" should also be "Expunged" since it is defamation, libel, and slander of same Complainant's good credibility as a good truthful, reputable, character named Janice Ching Yee, a good capable, American woman who never committed crime or deliberate sin as against the ten (1) Commandments of the Holy Bible. Plaintiff—Appellant Pro Se JCY should not be judicially, financially enslaved as unconstitutional "involuntary servitude", after all for same Appellant never was a perjurious criminal, which is Defendants—Appellees' "merits", already considered by this Court, but wrongfully so.

Also, Attorney Edward Chun, et al, Defendants—Appellees' Perjury of an "interlocutory decree" in the Octo-

ber, 1975 Hearing in Hawaii's Supreme Court for case HSC #5930, was insufficient defence by Appellees AAY@ and/or contributed to @Alfred Alphonse Yee's bad intent for defamation, libelous, slanderous perjury by labels as "whore" "mentally ill" "incompetance", which made the children lose respect for me, JCY\* as Mother of all five (5) after the Father AAY@ (of all five) told them "your ma is a whore" in 1972.

The "interlocutory decree" mention should be "Expunged" by discretionary Jurisdiction of this Court and may it do so please.

2. in Error, this Hawaii Supreme Court ordered that the clerk not accept any further motions, pleadings or Appeals from Appellant Pro Se Janice Ching Yee, who has not found the word "Justice" for same Appellant who Demands Complete Equitable Financial Settlement for divorce and Restitution, as pled, as "Real Justice" for all nine (9) cased Titled for same Appellant Pro Se Janice Ching Yee.
3. in Error, this Hawaii Supreme Court threatened to inflict extra costs incurred by Defendants—Appellees as penalty against individual Appellant Pro Se for American Constitutional Law for FREEDOM and Equal PROTECTION by the LAW for same Appellant for "monetary relief" and "judicial relief" for same Appellant Pro Se Janice Ching Yee for RELIEF OR ORDER, here.
4. in Error, this Hawaii Supreme Court neglected to consider Appellant's very timely "MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF OF JUDGMENT, filed March 14, 1977 (tCR††, p. 741-762, 774-778) for Plaintiff—Appellant Pro Se JCY's APPEAL against Judge Betty Vitousek's Erroneous, Prejudiced Order, filed March 9, 1977. This was included in ††the Court Record.

Would the Supreme Court please consider this MOTION FOR RELIEF OF ORDER, filed November 17, 1977, according to the Jurisdiction of This Court by way of HAWAII SUPREME COURT RULES, RULE 1 (a) (1) for consideration of HAWAII RULES OF CIVIL PROCEDURE:

1. RULE 60 (a) and 60 (b) (1): for the Error of Documents clerk Mildred, who neglected to include the Defendants Appellees Attorney's name Edward Y. C. Chun, et al, in

the docketed "Index", which was corrected and filed August 31, 1977, thereby causing delay for the clerks of the Hawaii Supreme Court, whose Conflict was for non-notification or recording of Attorney Edward Chun, et al's DEFAULT of an Answering Brief for Defendants—Appellees Alfred A. Yee et al, whose DEFAULT was not recorded in "the Court Records" and should be, and/or the clerks of the Hawaii Supreme Court should not have delayed notifying Attorney Edward Chun, et al, of Alfred Alphonse Yee, Defendants—Appellees' DEFAULT, and whose villainous, unconstitutional, criminal "merits" should not have been considered or heard.

This Hawaii Supreme Court was in Error.

This Hawaii Supreme Court should GRANT Janice Ching Yee Plaintiff—Appellant Pro Se Complete Settlement for

2. RULE 60 (b) (2): for newly discovered evidence of "fraudulent concealment" of Defendants—Appellees Conspiracy, contributed by the malfeasant judges Defendant—Appellee Norito Kawakami and/or Defendant—Appellee Harold Shintaku (contributory HSBA member) whose misconduct for dismissal of Appellant's proper Complaints against Defamation, Libel, Slander, Conspiracy, Conflict, Violation of Appellant's Legal American Rights for Equality and FREEDOM, and/or against Defendants—Appellees' Obstruction of Justice for Appellant against the Defendants—Appellees' "fraudulent concealment" of this prejudiced persecution, including defamatory, libel, slander and perjury for conspired "assassination" of Appellant's good character, reputation and good name JCY\*, as a good woman who never committed crime or deliberate sin as "judicial financial enslavement" for Unconstitutional unfair opportunity and unfair competition against Plaintiff—Appellant Pro Se JCY, who pleads "Pro Se" as Complainant, who didn't have Legal help for pleadings prepared by Plaintiff—Appellant Pro Se Janice Ching Yee, who learned to plead alone (from 1975) with one Business Law course as background from Northwestern University's undergraduate Commerce School. So Appellant tried to prepare and present Appellant's pleadings on time, not realizing Defendants—Appellees' perjury was for "fraudulent concealment" for conspiracy for assassination of character,

name and reputation of Plaintiff—Appellant Pro Se JCY\*; not only "fraudulent concealment" of conspiracy for "malice" for defamation, libel, slander for deprivation of income and American Legal Rights for same individual Appellant.

It took more than 60 months of "judicial financial enslavement" as evidence to expose Defendants—Appellees' malicious bad intent for "Injury" by "Gross Cheat" and "Assassination of character, good reputation, or good name" Janice Ching Yee, as a good capable, businesswoman who does straight Legal business as a Sole Proprietor and/or Publisher and Distributor of books, who should not be so Defamed by Hawaii's lower Family Court's Vitousek as instigator and perpetrator and/or perpetrated worse by the lower Circuit Court Kawakami and/or Shintaku, who denied credibility of Complainant's pleadings as a capable woman \*Janice Ching Yee, who should not have been denied Remedy, Recourse, or Restitution against Defendants—Appellees' unconstitutional crimes against same JCY\*, who cannot understand Disciplinary Counsel Jung Lowe's incompetance which denied HAWAII SUPREME COURT'S JUDICIAL CODE and/or HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY's ETHICAL CONSIDERATIONS 7-21 as JURISDICTION against Judge Betty Vitousek's villainous "malicious abuse of judicial process" for Criminal Coercion for non-assertion of Legal American Rights for Plaintiff—Appellant Pro Se JCY\* to collect Equitable Distribution of Income and/or fast Equitable Complete Financial Settlement for the sum of \$3 million for same Appellant JCY\*, who was a very capable silent partner of ex-husband Alfred Alphonse Yee, who was nothing but a practical draftsman-engineer upon marriage in 1953, and/or started business as a private engineer in 1954, in his words, "with paper and pencil and no capital". Plaintiff—Appellant didn't realize Defendant—Appellee Stephanie Kokernak was "illegal trespass", which Defendants—Appellees Robert Hogan, et al, as ex-attorneys for Plaintiff (Appellant) therefore neglected to charge against Stephanie Kokernak to move her out of Plaintiff's house, so can This Hawaii Supreme Court please consider Plaintiff—

Appellant's merits against Appellee Stephanie Kokernak's "trespass", added to her Unconstitutional Invasion of Privacy, compounded by Appellee Kokernak's Perjury as a "perjured Affidavit".

3. RULE 60 (b) (3): for "Fraud" by Hawaii's Supreme Court, OR, "Fraud" by Judge Betty Vitousek from Hawaii's lower Family Court, OR, "Fraud" by the lower Circuit Court Judge Harold Shintaku or "Fraud" by the lower Circuit Court Judge Norito Kawakami whose prejudiced judgments, decrees and orders were against the CONSTITUTIONS OF THE UNITED STATES OR THE STATE OF HAWAII for FREEDOM FOR INDIVIDUAL PLAINTIFF-APPELLANT PRO SE\* JANICE CHING YEE and for EQUAL PROTECTION BY THE LAWS for SAME JCY\* as REAL MERITS for CLAIMS FOR RESTITUTION AS A REDRESS OF GRIEVANCES FOR SAME APPELLANT JCY\* against Damages Incurred by Defendants-Appellees who were in Violation of SAME APPELLANT PRO SE's LEGAL AMERICAN CONSTITUTIONAL RIGHTS, AMENDMENTS ONE, FOUR, FIVE, SIX, EIGHT, THIRTEEN, AND FOURTEEN AND TWENTY-SEVEN, specifically, not neglecting any other LAWS of proper PERTINENCE for EQUAL PROTECTION BY THE LAWS for SAME PLAINTIFF-APPELLANT PRO SE JCY\*; who never perjured or was frivolous as any Defendants-Appellees, who were "Guilty" of Criminal Conspiracy for "fraudulent concealment" of dangerous, criminal Unconstitutional crimes for "assassination of same Appellant's good character," etc.
- This Supreme Court was wrong and in error for considering Defendants-Appellees' "frivolity" as "merits", which wrongly contended "frivolity" of Appellant against Defendants-Appellees Alfred Alphonse Yee and new wife Lizzie's "frivolous" spending of money allocated by the Courts for Plaintiff-Appellant Pro Se's children's good all around kind of education, all of which should not be spent on three trips to the Orient in 1977 by Lizzie, who deprived the children of Appellant Janice of continued education in their respective schools in Colorado or Oregon, instead of being set back at the University of Hawaii, depriving them of a broader life

experience of meeting all kinds of people and situations for growth.

4. RULE 60 (b) (4): for other pertinent Reasons, as the Hawaii Supreme Court's prejudiced Error and Gross Negligence in considering the Defendants-Appellees illegal Unconstitutional Defamatory, Libelous, Slanderous, Perjurious, Criminal, "merits", whereof Hawaii Supreme Court should nullify this magnified Error of the lower Trial Courts of Vitousek, or Kawakami, or Shintaku, instead of compounding their Unconstitutional prejudiced Errors.

Plaintiff-Appellant Pro Se Janice Ching Yee should have Equal Consideration for same Appellant's GOOD MERITS against Unconstitutional Restractive, Suppressive, Oppressive Dismissals, which is extreme "judicial violence" for "contributory prejudiced conspiracy for Defendants-Appellees, who Defaulted and should not be heard.

#### CONCLUSION

In Conclusion, this Hawaii Supreme Court should consider all GOOD MERITS FOR PLAINTIFF-APPELLANT PRO SE as a capable, good, American woman, who never committed crime, and deliberate sin.

Plaintiff-Appellant Pro Se Janice Ching Yee hereby presents all pleadings again for consideration of all true words of pleadings for AMERICAN CONSTITUTIONAL LAW for same Appellant who need not reiterate any more pleadings and does Challenge: according to HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATIONS: 7-22: this Court's Unconstitutional Prejudiced Errors, which is prejudiced for Defendants-Appellees, who are all "guilty" of Unconstitutional crimes against same individual Appellant Janice Ching Yee, as pled and who never frivolously perjured as Defendants-Appellees for Malicious Injury, which should be considered as a deterrent instead of an advantage, and, therefore was not considered in the right lawful manner by This Court who should consider the GOOD MERITS of APPELLANT'S QUESTIONS OF LAW AND FACT, presented earlier for This APPEAL.

This Court should Reconsider and GRANT APPELLANT JANICE CHING YEE'S APPEAL TO REOPEN AND CONSOLIDATE ALL CASES FOR FAST DETERMINATION FOR A RE-

DRESS OF GRIEVANCES AS PERMANENT CUSTODY OF  
IAN YEE TO MOTHER JANICE, SAME APPELLANT FOR A  
REDRESS OF GRIEVANCES ALSO AS MONETARY RELIEF  
AND JUDICIAL RELIEF AS EXPUNGEMENT, AS PLED.

For This, same Appellant Janice Ching Yee can thank This  
Hawaii Supreme Court.

(Mrs.) Janice Ching Yee  
Plaintiff—Appellant Pro Se

Dated, November 21, 1977

November 21, 1977

JUSTICES  
HAWAII SUPREME COURT  
JUDICIARY BUILDING  
HONOLULU, HAWAII

YOUR HONORS:

Please sign Approval of filing of this proper "MOTION  
FOR RELIEF OF ORDER, filed November 17, 1977"; for  
proper pertinence for RELIEF of this Court's Erroneous  
Order which:

- 1) constitutes "fraud" by this Court, contributing to  
the "fraud" by the lower trial courts against the  
CONSTITUTION OF THE UNITED STATES &/OR  
HAWAII.
- 2) threatens by unconstitutional "criminal coercion"  
to impose extra costs against Plaintiff—Appellant  
Pro Se Janice Ching Yee against "This Contributory  
Suppressive, Restraintive Oppression" by the lower  
trial Courts and/or the Defendants—Appellees.
- 3) is against other pertinent reasons given in Appell-  
ant's "MOTION FOR RELIEF OF ORDER".
- 4) is hereby challenged by Appellant for "correctness"  
with respect, according to HAWAII SUPREME  
COURT RULES' CODE OF PROFESSIONAL  
RESPONSIBILITY'S ETHICAL CONSIDERA-  
TIONS 7-22.

Please Approve!

Mrs. Janice Ching Yee  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii  
96817

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APPROVED BY JUSTICE

APPENDIX "LD"

APPENDIX "LA"

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Telephone: 595-3426

PLAINTIFF (APPELLANT) PRO SE  
IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff (Appellant) Pro Se, )  
vs. ) CIVIL (AND CRIMINAL)  
ROBERT G. HOGAN, &/or HOGAN, ) CIV. #44240  
ROTHER, GRIMES, & BYBEE, )  
STEPHANIE KOKERNAK, ) CIV. #44869  
EDWARD Y. C. CHUN, &/or CHUN, ) CIV. #44245  
KERR, & DODD, )  
BETTY VITOUSEK, JUDGE, &/or ) CIV. #45123  
the FAMILY COURT of the )  
FIRST CIRCUIT of the )  
STATE OF HAWAII, AND/OR )  
NORITO KAWAKAMI, JUDGE, of the )  
FIRST CIRCUIT COURT of the )  
STATE OF HAWAII, )  
GERRY NAGAHISA, SOCIAL ) CIV. #44263  
WORKER, and/or the ADULT )  
SERVICE BRANCH of the STATE )  
OF HAWAII'S FAMILY COURT of )  
the FIRST CIRCUIT, AND/OR )  
BETTY ADAMS, PSYCHIATRIST, )  
and/or the DEPARTMENT OF )  
HEALTH of the STATE OF )  
HAWAII, )  
HAROLD NICKELSEN, &/or CON- ) CIV. #44244  
ROY, HAMILTON, GIBSON, )  
NICKELSEN, & RUSH, )  
JAMES E. KOSHIBA, AND/OR the ) CIV. #44262  
HAWAII BAR ASSOCIATION, )  
ROBERT A. FRANKLIN, ) CIV. #44578

APPENDIX "LCC"

ALFRED ALPHONSE YEE, &/or ) CIV. (FC-D #81258)  
ALFRED A. YEE & ASSOCIATES, )  
Defendants (Appellees). )  
\_\_\_\_\_  
)

MOTION TO RECONSIDER PLAINTIFF'S  
"MOTION TO REOPEN AND CONSOLIDATE  
CASES TITLED," etc.

MEMORANDUMS OF LAW, ARGUMENTS, and EXHIBIT  
(included as EXH. "I" in APP. "F77-3/14")  
IN SUPPORT OF MOTION

PLAINTIFF'S VERIFIED AFFIDAVIT

NOTICE OF MOTION

I hereby certify a copy of this Motion will be served on:  
Edward Y. C. Chun, et al,  
attorneys for Defendants Alfred Alphonse Yee, et al  
700 Bishop Street, Honolulu, Hawaii, 96813

William McCorriston of Goodsill, Anderson, & Quinn,  
attorneys for Defendants Edward Y. C. Chun, et al.  
1600 Castle & Cooke Bldg., Financial Plaza, Hon., Hi.

William Fleming of Cades, Schutte, Fleming, & Wright,  
attorneys for Defendants: Robert G. Hogan, et al.  
Harold Nickelsen, et al.  
James E. Koshiba, and/or  
the Hawaii Bar Assocn.

165 S. King Street, Honolulu, Hawaii 96813

Ronald Amemiya (694) and Nelson Change (716)  
Attorney General and Deputy for Defendants:  
Gerry Nagahisa, Social Worker, et al, &/or  
Betty Adams, Psychiatrist, et al.

Ronald Amemiya (694) and Nelson Change (716)  
Attorney General and Deputy for Defendants:  
Betty Vitousek, Judge, et al, and/or  
Norito Kawakami, Judge.  
Hawaii State Capitol, 415 S. Beretania, Hon., Hi.

Max Garcia  
attorney for Defendant Robert A. Franklin  
Suite 990, Pacific Trade Center, Honolulu, Hi.

Stanley Kanetake  
attorney for Defendant Stephanie Kokernak  
228 Kuulei Road, Kailua, Oahu, 96734  
for this day of March 4, 1977.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff(Appellant) Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Telephone: 595-3426

PLAINTIFF (APPELLANT) PRO SE  
IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff (Appellant) Pro Se, )  
vs. ) CIVIL (AND CRIMINAL)  
ROBERT G. HOGAN, &/or HOGAN, ) CIV. #44240  
ROTHER, GRIMES, & BYBEE, )  
STEPHANIE KOKERNAK, ) CIV. #44869  
EDWARD Y. C. CHUN,&/or CHUN, ) CIV. #44245  
KERR, & DODD, )  
BETTY VITOUSEK, JUDGE, &/or ) CIV. #45123  
the FAMILY COURT of the )  
FIRST CIRCUIT of the )  
STATE OF HAWAII, AND/OR )  
NORITO KAWAKAMI, JUDGE, of the )  
FIRST CIRCUIT COURT of the )  
STATE OF HAWAII, )  
GERRY NAGAHISA, SOCIAL ) CIV. #44263  
WORKER, and/or the ADULT )  
SERVICE BRANCH of the STATE )  
OF HAWAII'S FAMILY COURT of )  
the FIRST CIRCUIT, AND/OR )  
BETTY ADAMS, PSYCHIATRIST, )  
and/or the DEPARTMENT OF )  
HEALTH of the STATE OF )  
HAWAII, )  
HAROLD NICKELSEN, &/or CON- ) CIV. #44244  
ROY, HAMILTON, GIBSON, )  
NICKELSEN, & RUSH, )  
JAMES E. KOSHIBA, AND/OR the ) CIV. #44262  
HAWAII BAR ASSOCIATION, )  
ROBERT A. FRANKLIN, ) CIV. #44578

ALFRED ALPHONSE YEE, &/or ) CIV. (FC-D #81258)  
ALFRED A. YEE & ASSOCIATES, )  
Defendants (Appellees). )  
\_\_\_\_\_  
)

MOTION TO RECONSIDER PLAINTIFF'S  
"MOTION TO REOPEN AND CONSOLIDATE  
CASES TITLED," etc.

Plaintiff Pro Se hereby MOTIONS TO RECONSIDER PLAINTIFF'S MOTION TO REOPEN AND CONSOLIDATE CASES TITLED," etc., according to HAWAII REVISED STATUTES, Chapter 657-20 against "Fraudulent Concealment" of Suppression and Oppression by a malicious defamatory, libelous, slanderous, scandalous, Unconstitutional "guardian ad litem" Order for Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process.

All parties titled are from the State of Hawaii.

The Jurisdiction of This Court resides on HAWAII REVISED STATUTES, Chapter 605-2 for Plaintiff Pro Se "before any Court". and/or Chapter 603-21.8 for Appeals, where, "the several Circuit Courts shall have Jurisdiction of all causes that may properly come before them on any Appeal allowed by Law from ANY OTHER COURT or agency"; HRS\*, Chapt. 657-20, Chapt. 657-1(5)'s SPECIAL ACTION &/or 654-21, where "A special proceeding may be brought to secure the immediate possession of personal property in any Circuit Court by filing a verified petition", where This Court, in its Jurisdiction, initiative, prerogative, and discretion, may consider Plaintiff Pro Se's "MOTION TO REOPEN" as a Petition; HRS\*, Chapter 654-23, Chapter 634-3, Chapter 425-118(c), Chapter 425-122, Chapter 806-36, Chapter 806-21, 806-22, Chapter 387-4, Chapter 480-2; AND/OR, HAWAII RULES OF CIVIL PROCEDURE, Rule 60(b) (1,2,3,4, &6); AND/OR, THE UNITED STATES CONSTITUTION, AMENDMENT ONE for FREEDOM as a good capable American woman citizen and a REDRESS OF GRIEVANCES FOR PLAINTIFF PRO SE JANICE CHING YEE, and/or AMENDMENT FOUR, FIVE, SIX, SEVEN, EIGHT, THIRTEEN against "involuntary servitude" or for FREEDOM, as mentioned,

and/or AMENDMENT FOURTEEN for EQUAL PROTECTION BY LAW, and/or AMENDMENT NINETEEN and TWENTY-SEVEN for EQUALITY for women as well as for men.

(s) Mrs. Janice Ching Yee  
MRS. JANICE CHING YEE  
Plaintiff (Appellant) Pro Se

Dated, March 4, 1977.

† emphasis supplied.  
\* HAWAII REVISED STATUTES.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE )  
Plaintiff (Appellant)△ Pro Se, )  
vs. ) CIVIL (AND  
ROBERT G. HOGAN, ET AL, ) CRIMINAL)  
STEPHANIE KOKERNAK, )  
EDWARD Y. C. CHUN, ET AL, )  
BETTY VITOUSEK, JUDGE, ET AL )  
&/OR NORITO KAWAKAMI, ) CIV. #44240  
JUDGE, ) CIV. #44869  
GERRY NAGAHISA, SOCIAL ) CIV. #44245  
WORKER, ET AL, &/OR BETTY ) CIV. #45123  
ADAMS, PSYCHIATRIST, ET AL, )  
HAROLD NICKELSEN, ET AL, )  
JAMES E. KOSHIBA, &/OR ) CIV. #44263  
the HAWAII BAR ASSOCIATION )  
ROBERT A. FRANKLIN, ) CIV. #44244  
ALFRED ALPHONSE YEE, ET AL ) CIV. #44262  
DEFENDANTS (APPELLEES)△ ) CIV. #44578  
\_\_\_\_\_) CIV. #(FC-D  
\_\_\_\_\_) #81258 )

MEMORANDUMS OF LAW, ARGUMENTS, AND EXHIBIT  
IN SUPPORT OF MOTION

Plaintiff Pro Se Janice Ching Yee hereby MOTIONS to RE-  
CONSIDER PLAINTIFF'S MOTION TO REOPEN AND CONSOLI-  
DATE CASES TITLED, etc., according to:

I. HAWAII REVISED STATUTES, Chapter 657-20 against  
"Fraudulent Concealment" of Suppression or Oppression  
by a malicious, defamatory, libelous, slanderous, Uncon-  
stitutional "guardian ad litem" Order for Conspiracy by  
Defendants Titled; including the officers of the Hawaii  
Bar Association and/or the Hawaii Bar Association's Ethic  
Commission of 1974 and 1975; for Suppression against  
Plaintiff's Complaints and Actions against Deprivation of  
income and Legal American Constitutional Rights for

△ Noted for This Court, of cases having been pled in Hawaii Supreme  
Court against previous errors by the lower courts.

Plaintiff for custody of the Children to real Mother  
Janice Ching Yee as the better parent and to collect max-  
imum income of \$4000.00 per month as Equitable in-  
come for Plaintiff, once for monthly alimony, which can  
be handled by Plaintiff very well, who pled for complete  
Settlement of \$3 million for Plaintiff Pro Se Janice Ching  
Yee for divorce settlement.

II. HAWAII REVISED STATUTES, Chapter 657-1(5) for  
"Special Actions on the case for criminal conversation",  
as threats, "or for any other injury to the person or rights  
of any, within six years next after the cause of the action  
accrued", from July 17, 1973 by Dr. Betty Adams' Per-  
jured defamatory, libelous, slanderous, psychiatric Report,  
contributed to by Gerry Nagahisa, social worker's Perjured  
Report of February 12, 1973 (filed), which Judge Vitou-  
sek considered for "temporary custody" and humiliating,  
harassing, torturing psychiatric visits as a delay for extor-  
tion for coercion for non-assertion of Legal Rights for  
Plaintiff to receive custody of the children and the most  
income or alimony; whereof this Perjured Report later  
caused loss of custody when considered and compounded  
by Dr. Betty Adams' Perjured Report, which together was  
considered and effected the Perjured Unconstitutional  
"guardian ad litem" Order, which caused grievous mental  
injury as trauma from suffering from this damage incurred  
by Nagahisa, et al, and/or Adams, et al's Negligent Mal-  
practice, which was for Unconstitutional prejudiced per-  
secution of Plaintiff Pro Se Janice Ching Yee as a good,  
capable American woman for the UNITED STATES CON-  
STITUTION'S FIRST AMENDMENT for ALL FREE-  
DOMS FOR INDIVIDUAL PLAINTIFF PRO SE JANICE  
CHING YEE for FREEDOM of CHOICE for same Plain-  
tiff, who never committed adultery, crime, or deliberate  
sin; AND for also AMENDMENT 7, 8, 13, 14, 19, and 27  
for "due process of law" for Plaintiff Pro Se against "cruel  
and unusual punishment" as fifty-five (55) months of  
"judicial financial enslavement" as "involuntary serv-  
itude" as "discrimination" against Plaintiff Pro Se's pleas  
for Equality as a good, capable, mature American woman  
Janice Ching Yee as the real mother of four adults and  
one minor.

- III. HAWAII REVISED STATUTES, Chapter 603-21.8 for Appeals where, "The several Circuit Courts shall have jurisdiction of all causes that may properly come before them on any Appeal allowed by Law from ANY OTHER COURT or agency." PLEASE CONSIDER THIS AS JURISDICTION FOR THIS COURT TO CONSIDER AND GRANT PLAINTIFF'S "MOTION TO REOPEN AND CONSOLIDATE CASES FOR A "JUST ADJUDICATION" OF CASES FOR RESTITUTION AS REDRESS FOR PLAINTIFF PRO SE WHO HAS NOT HAD ANY RESTITUTION AS JUSTICE FOR SAME PLAINTIFF IN ANY COURT APPEALED TO YET, TO DATE.
- IV. HAWAII REVISED STATUTES, Chapter 654-21, where "A special proceeding may be brought to secure the immediate possession of personal property in any circuit court by filing a verified petition, showing:
- (1) That the plaintiff is entitled to the immediate possession (monetary relief) of the property (money) claimed;
  - (2) A particular description of the property claimed; (money) if the property claimed is a portion of divisible property of uniform kind, quality, or value, that such is the case, and the amount thereof which the plaintiff claims;
  - (3) The actual value of the property claimed;
  - (4) That the property has not been taken for a tax assessment, or fine pursuant to a statute, or seized under an execution of an attachment against the plaintiff of his property",
  - (5) That the property is in the possession of the defendant (Alfred Alphonse Yee, et al) and the fact and circumstances relating to the possession thereof by the defendant, according to the Plaintiff's best knowledge and belief."
- V. HAWAII REVISED STATUTES, Chapter 654-23 for New Parties, where "Any person designated in the petition as having an interest in the property" "may" "be brought in as a party defendant", whereof Plaintiff Appeals for inclusion of:

- A. HAWAII RULES OF CIVIL PROCEDURE, Rule 19(a)(1), for consolidation and joinder of ALFRED A. YEE & ASSOCIATES TO ALFRED ALPHONSE YEE, as Defendants in Case FC-D #81258 or Civil case from This Court, whereof the Court has not given this case a Civil number; for Joinder of "persons needed for a just adjudication" of case FC-D #81258 for Plaintiff Pro Se Janice Ching Yee.
- B. HAWAII REVISED STATUTES, Chapter 634-3, wherefor "Actions against persons by Firm Name." "and any judgment recovered against the firm, as such, may be enforced against the firm property, and against the individual property of any of the associates who have been served with process or who have appeared in the action." Therefore, money ordered, as noted in EXHIBIT "B" of original "MOTION TO REOPEN" filed FEB. 14, 1977, can be ordered for Plaintiff out of the ALFRED A. YEE & ASSOCIATES PROFIT SHARING FUND.
- C. HAWAII REVISED STATUTES, Chapter 425-118(c) against Defendant Alfred Alphonse Yee, the individual, as ex-husband of Plaintiff, who, once as Al's partner of marriage, was "a partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute shall be paid interest from the date of the payment or advance," wherefor, Plaintiff hereby presents EXHIBIT "I", for evidence of moneys, as Plaintiff's property, of which ex-husband Alfred A. Yee does owe Plaintiff Janice C. Yee.
- D. HAWAII REVISED STATUTES, Chapter 425-122, Right to an account, where "any partner shall have the right to a formal account as to partnership affairs:"
- (a) "if he is wrongfully excluded from the partnership business or possession of its property by his co-partner" as ex-husband Alfred Alphonse Yee.
  - (b) "if the right exists under the terms of any agreement", as Alfred Yee's promise of a life of luxury for Plaintiff Pro Se Janice Ching Yee, if Plaintiff

helped Alfred Alphonse Yee build up his name and business and reputation, whereof Plaintiff once put heart and soul into helping Alfred Alphonse Yee, starting out once at \$250.00 a month at the Navy Yard of \$3000.00 a year man to private business worth nothing until at moment of divorce in 1973, the Alfred A. Yee & Associates business was a million dollar business giving Alfred Alphonse Yee gross income of \$105,000.00 per year of 1973, wherefor Plaintiff didn't build up Plaintiff's writing talents or creative talents or individual business talents, concentrating only on Alfred Alphonse Yee and his needs, wherefore the Company Alfred A. Yee & Associates once was propelled by Plaintiff's contribution as a silent partner; and therefore, since it benefitted, the Company should also be joined as Defendants to pay Plaintiff, per Chapter 425-118 and Chapter 425-122 of HAWAII REVISED STATUTES.

(d) "whenever other circumstances render it just and reasonable", wherefore, further delay of payment, as the slow, vacillatory payments of \$350. per month for repayment of other moneys as the \$225,000. less amounts paid (EXH. "B"), which Alfred Alphonse Yee &/or Alfred A. Yee, and Associates owe Plaintiff who Motioned to Reopen Complaints against this Unfair Competition Methods caused by all Defendants titled, which leaves Plaintiff without enough money to do good business Plaintiff Pro Se has the capability to do, and/or forced Plaintiff's tiny sole proprietorship to borrow \$20,000. @ 10% interest, which is not fair if Plaintiff gets deprived of interest by the Courts, who are prejudiced for Alfred Alphonse Yee, et al, Defendants.

E. HAWAII REVISED STATUTES, Chapter 806-36 for Property owned by corporation, where "All property real and personal, whereof any body corporate shall by law have the management, control, or custody, shall" "be deemed to be the property of the body corporate". This applies to Alfred A. Yee and Associates.

F. HAWAII REVISED STATUTES, Chapter 806-21, where "Any number of accessories at different times to any felony" as "stolen, taken, extorted, obtained or otherwise disposed of in such manner as to amount to a felony" "may be tried together, notwithstanding the principal felon is not included in the same indictment, or not in custody, or amenable to justice." This applies to all Defendants titled, who contributed to extortion for swindle and deprivation of income for Plaintiff Pro Se Janice Ching Yee.

G. HAWAII REVISED STATUTES, Chapter 806-22 for Joinder of charges against Defendants titled, where "If two or more indictments, information or complaints are found or entered in" "cases" "which may be properly joined", "the court" "may order them to be consolidated." This applied to all Defendants in all cases, who conspired for each other for prejudiced judicial discriminatory persecution of Plaintiff Pro Se.

H. HAWAII REVISED STATUTES, Chapter 387-4, Wage Discrimination prohibited, where "No employer shall discriminate in any way in payment of wages as between persons of different races or religions or as between the sexes", etc., whereof Plaintiff once worked longer hours than Alfred Alphonse Yee, getting up earlier, going to bed later, OR, worked as hard as Alfred A. Yee, OR, worked at equally intelligent work, and should not be so cruelly and unusually punished by an inequitable distribution of income, which is actual Unconstitutional "financial enslavement" as extortion for coercion of non-assertion of Legal American Constitutional Rights for Plaintiff to collect half of Defendants continuing income at moment of divorce, multiplied by years to live, for Plaintiff once was promised by Alfred Yee, Defendant of an easy life from hard work, ending in a life of luxury for Plaintiff and the Children or family, against Alfred A. Yee spending money on his 26-year old bride, who had three trips to the orient since last April, 1976, spending money deprived out of Plaintiff against this violation of AMENDMENT SEVEN of the UNITED

STATES CONSTITUTION or AMENDMENT FOURTEEN against Judge Vitousek of the lower Family Court against Equal Protection by Law, so Plaintiff can travel too, for I once worked twenty (20) years for Alfred Alphonse Yee, for this money and I should have a turn to rest for AMENDMENT ONE against Violation by the Government agency, as Judge Betty Vitousek from the Judicial Branch, who does owe Plaintiff Pro Se Janice Ching Yee a REDRESS of Grievances.

- I. HAWAII REVISED STATUTES, Chapter 480-2 against Unfair Competition, Practices Declared Unlawful, which explains itself against the Defendants' Extortion by Delay for Deprivation of income and Legal American Constitutional Rights for Plaintiff to collect all income possible and earn more income, is also deprivation of opportunity to make more income for Plaintiff against "judicial financial enslavement" as coerced "involuntary servitude" by Judge Betty Vitousek, Defendants, and/or Alfred Alphonse Yee, et al, for coerced ignominy or anomie of Plaintiff Pro Se, who Complains against this.
- J. HAWAII RULES OF CIVIL PROCEDURE, Rule 19, (a)(1) & 12(h) for Joinder of Judge Norito Kawakami to Judge Betty Vitousek, et al, as Defendants in case Civil #45123, for Joinder of "persons needed for a just adjudication, of this case against these Defendants whose Malice delayed and defamed by malicious abuse of judicial process for prejudiced persecution for extortion for coercion of non-assertion of Legal American Constitutional Rights for Plaintiff Pro Se to collect and earn more money.
- K. HAWAII RULES OF CIVIL PROCEDURE, Rule 18 for "Joinder" and Consolidation "of Claims and Remedies" for all cases for Plaintiff Pro Se Janice Ching Yee, who hereby again Appeals for reasonable restitution for Plaintiff Janice Ching Yee for respect for American Constitutional Law for same Plaintiff.
- L. HAWAII RULES OF CIVIL PROCEDURE, Rule 42 for Consolidation "to avoid unnecessary cost or delay", after all Plaintiff Pro Se never intended frivolity.

#### CONCLUSION

In conclusion, Plaintiff Pro Se hereby prays for This Court's Jurisdiction, Prerogative, Initiative, and Discretion to REOPEN and CONSOLIDATE ALL CASES TITLED, for Plaintiff Janice Ching Yee who has not had any Justice in any Court pled to.

Plaintiff Pro Se hereby also calls on the good precedent set by Doris Day, (Day vs. Rosenthal, Calif. Superior Crt. 1974) who was Granted Restitution by California's Superior Court for her as a good businesswoman, who should not have been cheated of her money; OR, Mrs. Jillson (Jillson vs. Caprio, 86 App. D.C. 168,

181 F. 2d 523; Noted, 49 Mich. L.R. 917(1941); 35 Cornell L.Q. 904 (1950)), who was Granted Restitution by Washington D.C.'s Superior Court for her against ex-husband, doctor, officials, and others for a "false arrest" medical Restraint against her as for Plaintiff Pro Se Janice Ching Yee, who prays for This Court to Grant Plaintiff's MOTION TO RECONSIDER PLAINTIFF'S MOTION TO REOPEN AND CONSOLIDATE CASES TITLED, for fast disposition of cases to give Plaintiff Janice Ching Yee a Redress of grievances for Reasonable Restitution or Summary Judgment for monetary relief for same individual Plaintiff, so I can thank God for answers to my prayers.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff (Appellant) Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

Dated March 4, 1977.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE	)
Plaintiff (Appellant) Pro Se,	)
vs.	)
ROBERT G. HOGAN, ET AL,	) CIV. #44240
STEPHANIE KOKERNAK,	) CIV. #44869
EDWARD Y. C. CHUN, ET AL,	) CIV. #44245
BETTY VITOUSEK, JUDGE, ET AL	) CIV. #45123
&/OR NORITO KAWAKAMI, JUDGE,	)
GERRY NAGAHISA, SOCIAL WORKER, ET AL, &/OR BETTY ADAMS, PSYCHIATRIST, ET AL,	) CIV. #44263
HAROLD NICKELSEN, ET AL,	)
JAMES E. KOSHIBA, &/OR the HAWAII BAR ASSOCIATION	) CIV. #44244
ROBERT A. FRANKLIN,	) CIV. #44262
ALFRED ALPHONSE YEE, ET AL	) CIV. #44578
DEFENDANTS (APPELLEES)	) CIV. # (FC-D #81258)
	)

---

PLAINTIFF'S VERIFIED AFFIDAVIT

Plaintiff as Complainant and Affiant of present address given,  
is the person who executed the foregoing instrument.

I have read the same and know the contents thereof.

The matters stated therein are true to my knowledge, except  
such matters as are stated to be upon information and belief, and  
as to those matters, I believe them to be true.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff (Appellant) Pro Se

Subscribed and sworn to  
this 4th day of March, 1977.  
(signed) Anne Osenburg  
Notary Public, First Judicial  
Circuit, State of Hawaii  
My Commission expires:  
Oct. 15, 1978

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE	)
Plaintiff (Appellant) Pro Se,	)
vs.	)
ROBERT G. HOGAN, ET AL,	) CIV. #44240
STEPHANIE KOKERNAK,	) CIV. #44869
EDWARD Y. C. CHUN, ET AL,	) CIV. #44245
BETTY VITOUSEK, JUDGE, FT AL	) CIV. #45123
&/OR NORITO KAWAKAMI, JUDGE,	)
GERRY NAGAHISA, SOCIAL WORKER, ET AL, &/OR BETTY ADAMS, PSYCHIATRIST, ET AL,	) CIV. #44263
HAROLD NICKELSEN, ET AL,	)
JAMES E. KOSHIBA, &/OR the HAWAII BAR ASSOCIATION	) CIV. #44244
ROBERT A. FRANKLIN,	) CIV. #44262
ALFRED ALPHONSE YEE, ET AL	) CIV. #44578
DEFENDANTS (APPELLEES)	) CIV. # (FC-D #81258)
	)

---

NOTICE OF MOTION

TO: WILLIAM FLEMING,  
Attorney for  
of Cades, Schutte, Fleming,  
& Wright; 17th Floor  
First Hawaiian Bank Bldg.  
Honolulu, Hawaii  
  
WILLIAM McCORRISTON  
Attorney for  
of Goodwill, Anderson &  
Quinn.  
1600 Castle & Cooke Bldg.  
Financial Plaza, Hon., Hi.  
  
EDWARD Y. C. CHUN,  
Et Al,

Robert G. Hogan, et al,  
Harold Nickelsen, et al,  
James E. Koshiba, &/or the  
Hawaii Bar Association,  
Defendants (Appellees)

Edward Y. C. Chun, et al  
Defendants (Appellees)

Attorney for  
700 Bishop Street No. 1408  
Honolulu, Hawaii 96813

**STANELY KANETAKE,**

Attorney for  
228 Kuulei Road  
Kailua, Oahu, 96734

**MAX GARCIA,**

Attorney for  
Suite 990, Pacific Trade  
Center, Hon., HI.

**NELSON CHANG, Deputy,**  
and/or  
**RONALD AMEMIYA, Att.**  
Gen.

for:  
Hawaii State Capitol Bldg.  
Honolulu, Hawaii

**NELSON CHANG, Deputy,**  
and/or  
**RONALD AMEMIYA, Att.**  
Gen.

for:  
Hawaii State Capitol Bldg.  
Honolulu, Hawaii

PLEASE TAKE NOTICE that the foregoing MOTION  
will be heard before the Hon. Judge Arthur Fong, of the  
Circuit Court, in the Judiciary Building, at \_\_\_\_\_ a.m.  
on \_\_\_\_\_ 1977, or as soon thereafter as  
counsel can be heard.

Dated at Honolulu, Hawaii, this March 4, 1977.

(s) Mrs. JANICE CHING YEE  
Mrs. Janice Ching Yee  
Plaintiff(Appellant) Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii 96817

Alfred Alphonse Yee, et al  
Defendants (Appellees)

Stephanie Kokernak  
Defendant (Appellee)

Robert A. Frankl in  
Defendant (Appellee)

Betty Vitousek, Judge, et al,  
&/or Norito Kawakami, Judge,  
Defendants (Appellees)

Gerry Nagahisa, et al, &/or  
Betty Adams, Psychiatrist, et al,  
Defendants (Appellees)

**MRS. JANICE CHING YEE**

3169 Alika Avenue  
Honolulu, Hawaii 96817  
Telephone: 595 3426

**PLAINTIFF (APPELLANT) PRO SE**

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff(Appellant) Pro Se )  
vs. ) CIVIL (AND  
ROBERT G. HOGAN, &/or HOGAN, ) CRIMINAL  
ROTHER, GRIMES, & BYBEE, ) CIV. #44240  
STEPHANIE KOKERNAK, ) CIV. #44869  
EDWARD Y.C.CHUN, &/or CHUN, ) CIV. #44245  
KERR, & DODD, )  
BETTY VITOUSEK, JUDGE, &/or )  
the Family Court of the FIRST )  
CIRCUIT COURT of the STATE )  
OF HAWAII, AND/OR )  
NORITO KAWAKAMI, JUDGE, of )  
the FIRST CIRCUIT COURT of )  
the STATE OF HAWAII, )  
GERRY NAGAHISA, SOCIALWORK- )  
ER, and/or the ADULT SERVICE ) CIV. #44263  
BRANCH of the STATE OF )  
HAWAII'S FAMILY COURT of )  
the FIRST CIRCUIT, AND/OR )  
BETTY ADAMS, PSYCHIATRIST, )  
and/or the DEPARTMENT of )  
HEALTH of the STATE )  
of HAWAII. )  
HAROLD NICKELSEN, &/or ) CIV. #44244  
CONROY, HAMILTON, GIBSON, )  
NICKELSEN, & RUSH, )  
JAMES E. KOSHIBA, AND/OR ) CIV. #44262  
the HAWAII BAR ASSOCIA- )  
TION, )

APPENDIX "LCC"

APPENDIX "CCC"

ROBERT A. FRANKLIN,  
ALFRED ALPHONSE YEE, &/or  
ALFRED A. YEE & ASSOCIA-  
TES,  
Defendants(Appellees)

) CIV. #44578  
 ) CIV.  
 )  
 ) (FC-D, #81258)  
 )  
 )

ORDER DENYING MOTION  
TO REOPEN AND CONSOLIDATE CASES TITLED,  
ACCORDING TO HRS+, CHAPTER 657-20

On February 14, 1977, Plaintiff Pro Se, "according to  
HAWAII REVISED STATUTES, Chapter 657-20", filed a  
"MOTION TO REOPEN AND CONSOLIDATE CASES TITLED".

On March 1, 1977, Judge Arthur Fong denied Jurisdiction to  
Reopen and Consolidate Cases Titled.

This Order shall take effect as of March 1, 1977.

Dated: Mar. 7, 1977, Honolulu, Hawaii

/s/ A Fong  
JUDGE OF THE ABOVE-ENTITLED  
COURT

APPROVED AS TO FORM:

/s/ Edward Y. C. Chun

Edward Y. C. Chun, et al, for Alfred Alphonse Yee, et al  
Attorneys Defendants  
(stipulated, so didn't sign)

Wm. McCorriston, Attorney for Edward Y. C. Chun, et al  
of Goodsill, Anderson & Quinn.  
(would not sign)

Wm. Fleming of Cades, for Robert G. Hogan, et al  
Schutte, Fleming & Wright for Harold Nickelsen, et al  
Attorneys James E. Koshiba, &/or  
Hawaii Bar Association  
Defendants

/s/ Nelson Chang

R. Amemiya & Nelson Chang for Gerry Nagahisa, et al &/or  
Attorney Gen. & Deputy Dr. Betty Adams, et al,  
State of Hawaii Defendants

/s/ Nelson Chang

R. Amemiya & Nelson Chang for Judge Betty Vitousek, et al,  
Attorney Gen. & Deputy &/or  
State of Hawaii Judge Norito Kawakami  
Defendants

/s/ Max Garcia

Max Garcia, Attorney for Robert A. Franklin  
Defendant

(stipulated, so didn't sign)

Stanley Kanetake, Attorney for Stephanie Kokernak  
+ HAWAII REVISED STATUTES. Defendant

+ HAWAII REVISED STATUTES.

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE YEE, ) FC-D No. 81258  
Plaintiff, ) TWELFTH  
vs. ) SUPPLEMENTAL  
ALFRED A. YEE, ) DECISION  
Defendant ) AND  
              ) ORDER

---

**TWELFTH SUPPLEMENTAL DECISION AND ORDER**

On March 22, 1976 Plaintiff, pro se, filed a Motion for Relief of Judgment seeking relief from prior decisions of this Court and in particular the Sixth Supplemental Decision entered on April 4, 1975. She bases the timeliness of her Motion primarily on H.R.C.P. Rule 60 (b)(2), (b)(4), and/or (b) (6) and alleges as her basis for the Court's jurisdiction the following:

"The Jurisdiction of Hawaii's Family Court to GRANT THIS APPEAL AND/OR MOTION AND ORDER THIS MONEY FOR PLAINTIFF PRO SE FOR FAST MONETARY RELIEF, reside on HAWAII'S REVISED STATUTES, Chapter 605-2 and/or Chapter 657-20; AND/OR HAWAII'S RULES OF CIVIL PROCEDURE, Rule 60 (b-2, b-4, and/or b-6); AND/OR HAWAII'S FAMILY COURT RULES, Rule 91(a) and/or Rule 26(a) & (b-1) and/or Rule 27 (b&c); AND/OR HAWAII'S SUPREME COURT RULES, Rule 16.1 and/ or Rule 16.2 and/or HAWAII'S SUPREME COURT RULES 'CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION' EC7-22 and EC7-21; AND/OR the UNITED STATES' CONSTITUTION AND ALL OF ITS AMENDMENTS."

The Court has examined all the specific references therein and finds no authority for this action other than that contained in Hawaii Rules of Civil Procedure, Rule 60 (b). The Court finds that, as stated by Plaintiff in her "Amendment of Motion for Relief of Judgment," also filed on March 22, 1976, this case "has been argued so many times from the initial action for divorce: . . ." (since it was initiated on September 16, 1971 through the Sixth Supplemental Decision entered on April 4, 1975 to the Eleventh Supplemental Decision and Order entered

on February 2, 1976), that the Court is fully apprised of the facts and circumstances in respect to the parties, their children and their property. The Court is also aware that the matter is on appeal to the Supreme Court of the State of Hawaii in S.C. No. 6102.

Upon further review of the Sixth and Eleventh Supplemental Decisions referred to and certain of the other Decisions herein and of other documents filed with the Court or submitted in evidence herein, the Court finds that the necessities and equities of the parties and their children have been considered and dealt with by this Judge to the best of her ability and understanding of all the facts, and in good faith and without malice or partiality, and that no further amendment of said prior decisions and orders as proposed by Plaintiff in her pleadings will be allowed or ordered. It is the further finding of the Court that no constructive purpose will be served by any further or future reconsideration by this Court of any matters herein which have already been considered and re-considered and decided.

It is the order of the Court that Plaintiff's Motion for Relief of Judgment filed on March 22, 1976 be denied.

DATED: Honolulu, Hawaii, Apr. 7 1976

/s/ Betty M. Vitousek

JUDGE OF THE ABOVE ENTITLED COURT

EDWARD Y. C. CHUN #158-0  
Of CHUN, KERR & DODD  
Suite 1408, Amfac Building  
Honolulu, Hawaii 96813  
Telephone 531-6575

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE YEE, ) FC-D No. 81258  
Plaintiff, )  
vs. ) TWELFTH  
ALFRED A. YEE, ) SUPPLEMENTAL  
              ) DECISION AND  
              ) ORDER

TWELFTH SUPPLEMENTAL DECISION AND ORDER

This Court, on November 12, 1976, heard Defendant's motion to modify the terms of the trust previously approved by this Court, to appoint the Chief Clerk of this Court as trustee thereunder, and to authorize the payment of premiums due on policies of insurance on the life of Defendant in order to prevent a lapse of said policies.

At the hearing, at which Plaintiff, pro se, and Defendant's counsel were present, Defendant's counsel advised the Court that John Hancock Policy No. 6577637 in the face amount of \$50,000 did not contain any provision for the maintenance of a renewable annual term policy in the amount of the outstanding policy loan, and orally moved for a further order to authorize and direct the owner of the policy to apply for such coverage. Plaintiff orally moved this Court to set aside its prior order respecting property settlement and custody and to consider a new settlement and the award of custody of the parties' minor children to her.

Upon review of the written and oral motions and the arguments in support thereof, IT IS ORDERED AS FOLLOWS:

I. THE TRUST AGREEMENT. By its Sixth Supplemental Decision and Order this Court ordered the creation of a trust for the benefit of Plaintiff "to assure the use and productivity of (the trust properties) and assets for the benefit and maintenance of Plaintiff throughout her lifetime". The trust was to have been funded by Defendant's delivery of one-half of

Defendant's interest in the receivable from Noble Furniture and Defendant's promissory note in the amount of \$110,000, and Plaintiff's assignment of John Hancock Policy Nos. 7552499 and 6577637. It now appears reasonably certain that no qualified person or corporation is willing to serve as trustee, and it is this Court's judgment that it is inappropriate for the Clerk of this Court to so serve. It also appears that principal purposes contemplated by the trust can be achieved, during Defendant's lifetime, without the vehicle of a trust. This Court is mindful of the prospective need to provide for proper management of the insurance proceeds payable upon the Defendant's death, but this Court, in the exercise of its continuing jurisdiction, can alter and modify its order as in the then circumstances appears reasonable or necessary. Accordingly, and until the entry of such further order, IT IS ORDERED THAT

A. So much of the prior orders of this Court requiring the establishment of a trust be and the same are hereby vacated.

B. Plaintiff may continue to be named as the owners of John Hancock Policies Nos. 7552499 and 6577637, but Plaintiff, her agents, servants and employees and all others acting in aid of or assistance of each and every one of them, are enjoined from withdrawing any dividends or cash values accruing thereupon or changing beneficiaries thereunder, or impairing the validity or present mode of payment of said policies.

C. The promissory note in the amount of \$105,000 referred to by Paragraph IA of the Eleventh Supplemental Decision and Order shall be reformed so as to be payable to Defendant and shall be deposited with this Court for safekeeping. Payments thereunder shall continue to be made directly to Plaintiff, and, in the event of default in payment, Defendant shall immediately notify both Plaintiff and this Court.

D. The promissory note in the amount of \$110,000 referred to by Paragraph IC of the Eleventh Supplemental Decision and Order shall be reformed so as to be payable to Plaintiff. Such reformation notwithstanding, Defendant shall make all payments thereupon to an insured savings and loan account in his own name as trustee for Plaintiff, which account together with the interest thereupon shall be accumulated. Defendant shall withdraw so much of said account (applying first the monthly installment payments made by him, and the accumu-

lated interest income only if necessary) as is necessary from time to time to pay all premiums, policy loans or other charges necessary to maintain in full force and effect said policies of insurance, including supplemental term insurance coverage for both policies in an amount equal to the outstanding policy loan. To the extent that the accumulated interest income of such account may be taxable to the trust account, Defendant is authorized to pay out of said account a reasonable fee for accounting services to prepare required federal and state returns and the tax payable by such account, but no other withdrawals shall be permitted.

To the extent that any part of the Plaintiff's interest in the receivable from Noble Furniture is paid, the same shall be deposited to said account and shall be utilized only for the purposes stated herein.

Defendant shall annually render an accounting to Plaintiff of the status of such account, including all withdrawals therefrom, which accounting shall be made not later than January 31 of each year for the preceding calendar year.

E. The Chief Clerk of this Court is hereby appointed Commissioner, on behalf of Plaintiff, to apply to John Hancock Life Insurance Company for the endorsement of Policy No. 6577637 to provide for a policy of term insurance in an amount from time to time equal to the outstanding policy loan amount thereon, to direct that all premium notices be mailed directly to Defendant, to direct that all dividends or other benefits be applied only to the reduction of premiums or to the purchase of term policies, and to direct that no withdrawals be otherwise permitted except upon further order of this Court.

**II. CONFIRMATION OF AUTHORIZATION TO PAY INSURANCE PREMIUMS; APPROVAL OF ACCOUNTING THEREFOR.** A part of Defendant's motion of November 8, 1976 sought the entry of an order directing and authorizing Defendant to pay premiums then due on the aforesaid John Hancock policy. Such authorization was orally granted at the hearing on November 12, 1976 and this Court hereby confirms its order to such effect.

By paragraph IV of the Eleventh Supplemental Decision and Order, this Court approved the Defendant's accounting in respect of premium payments made in November, 1975

on Plaintiff's behalf to John Hancock Life Insurance Company, and approved a credit for all interest payments accruing on the aforesaid promissory note of \$110.000 through February 28, 1976 as well as a credit in the amount of \$217.68 becoming due on the March 1976 installment of \$458.33. Defendant has advised this Court that since the first interest payment becoming due under the note of July 1, 1976 was payable on August 1, 1976 (interest accruing in arrears), the proper amount of the credit against payments due on said note is only for the whole of the January 1, 1976 payment and for \$217.68 of the February 1, 1976 payment. Accordingly, this Court finds that the total due to Plaintiff in calendar 1976 (inclusive of accruals of interest for December, 1976) is \$4,823.95. Against such amount owed, Defendant, pursuant to this Court's oral authorization, has paid the amount of \$4,377.28 to John Hancock Life Insurance Company. The balance of the amount due for calendar 1976, therefore, is in the amount of \$446.67 and said amount shall be deposited by Defendant to the account for the benefit of Plaintiff referred to by Paragraph I, above.

**III. CONFIRMATION OF PRIOR DECISIONS AND ORDERS.** This Court denies the oral motions of Plaintiff for a modification of this Court's prior decisions and orders, and except as hereby expressly modified, the same are hereby confirmed.

Dated at Honolulu, Hawaii, Dec. 30 1976.

S E A L /s/ Betty M. Vitousek  
JUDGE OF THE ABOVE ENTITLED COURT

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE YEE,  
Plaintiff  
vs.  
ALFRED A. YEE,  
Defendant.

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) FC-D No. 81258  
 ) ORDER DENYING  
 ) MOTION FOR RE-  
 ) TRIAL FOR RECON-  
 ) SIDERATION, RE-  
 ) LIEF, AND  
 ) AMENDMENT.

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The Twelfth Supplemental Decision and Order entered on this date contains a typographical error in the fourth line in paragraph IC insofar as the word "Defendant" should read "Plaintiff"

Accordingly, it is ordered that the word "Plaintiff" be substituted for the word "Defendant" so that the whole of paragraph IC reads as follows:

"C. The promissory note in the amount of \$105,000 referred to by Paragraph IA of the Eleventh Supplemental Decision and Order shall be reformed so as to be payable to Plaintiff and shall be deposited with this Court for safekeeping. Payments thereunder shall continue to be made directly to Plaintiff, and, in the event of default in payment, Defendant shall immediately notify both Plaintiff and this Court."

Dated at Honolulu, Hawaii, Dec. 30, 1976.

S E A L      /s/ Betty M. Vitousek  
JUDGE OF THE ABOVE ENTITLED COURT

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE YEE,  
Plaintiff  
vs.  
ALFRED A. YEE,  
Defendant.

---

) FC-D No. 81258  
 ) ORDER DENYING  
 ) MOTION FOR RE-  
 ) TRIAL FOR RECON-  
 ) SIDERATION, RE-  
 ) LIEF, AND  
 ) AMENDMENT.

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ORDER DENYING MOTION FOR RETRIAL FOR  
RECONSIDERATION, RELIEF, AND AMENDMENT.

The matter having been fully litigated and good cause appearing therefor,

IT IS HEREBY ORDERED that Plaintiff's Motion filed on January 3, 1977 be and it is hereby denied.

DATED: Honolulu, Hawaii, March 9 1977

S E A L

/s/ Betty M. Vitousek  
JUDGE OF THE ABOVE ENTITLED COURT

APPENDIX "13" F

NO. 6529

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1977

JANICE CHING YEE,  
Plaintiff—Appellant Pro Se,  
vs.

ALFRED ALPHONSE YEE, ET AL  
STEPHANIE KOKERNAK,  
ROBERT G. HOGAN, ET AL,  
EDWARD Y. C. CHUN, ET AL,  
BETTY VITOUSEK, JUDGE, ET AL,  
AND/OR, NORITO KAWAKAMI,  
JUDGE,  
GERRY NAGAHISA, SOCIAL WORKER  
ET AL, AND/OR, DR' BETTY ADAMS,  
PSYCHIATRIST, ET AL,  
HAROLD NICKELSEN, ET AL,  
JAMES E. KOSHIBA, AND/OR,  
THE HAWAII STATE BAR ASSOCIA-  
TION  
ROBERT A. FRANKLIN  
Defendants—Appellees.

) APPEAL TO REOPEN  
) AND CONSOLIDATE  
) CASES TITLED,  
) AND/OR APPEAL  
) AGAINST DENIAL OF  
) JURISDICTION BY  
) THE LOWER CIRCUIT  
) COURT TO REOPEN  
) AND CONSOLIDATE  
) CASES TITLED, BOTH,  
) ACCORDING TO  
) HRS, CHAPTER 657-  
) 20; FOR QUESTIONS  
) OF LAW AND FACT,  
) ALSO.  
) FC-D #81258  
) Civ. #44869  
) Civ. #44240  
) Civ. #44245  
) Civ. #45123  
Civ. #44263  
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ADDITIONAL APPENDIX "WDI" AS PERTINENT  
EVIDENCE OF APPELLANT PRO SE's CAPABILITY,  
UNFILED, THROUGH NEGLIGENCE BY HSBA+ MEMBER  
DAVID INGMAN

CERTIFICATE OF SERVICE  
(not included here)

(MRS.) JANICE CHING YEE  
Plaintiff—Appellant Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Dated November 18, 1977

APPENDIX "DI"

+cover not included here.

NO. 5930  
IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1976

JANICE CHING YEE, ) FC-D No. 81258  
Plaintiff-Appellant, ) APPEAL FROM  
vs. ) JUDGMENTS, HONOR-  
ALFRED ALPHONSE YEE, ET AL, ) ABLE BETTY M.  
Defendant-Appellee. ) VITOUSEK, JUDGE,  
 ) FAMILY COURT,  
 ) FIRST CIRCUIT  
 )

WITHDRAWAL OF COUNSEL

D. N. Ingman hereby withdraws as counsel for Plaintiff-Appellant.

Dated: Honolulu, Hawaii, "NUNC PRO TUNC",  
Aug. 25, 1975.

/s/ D. N. Ingman  
D. N. Ingman

NO OBJECTION:

/s/ Mrs. Janice Ching Yee  
Janice Ching Yee

APPROVED:

\_\_\_\_\_  
Justice

CERTIFICATE OF SERVICE

I certify that a copy of this Withdrawal was mailed to  
counsel for Defendant-Appellee

D. N. Ingman - 245  
802 Kapiolani  
Honolulu, Hawaii 96813

S E A L

OFFICE OF DISCIPLINARY COUNSEL  
SUPREME COURT OF THE STATE OF HAWAII  
1149 BETHEL STREET, ROOM 211  
HONOLULU, HAWAII 96813

JUNG Y. LOWE  
CHIEF DISCIPLINARY COUNSEL

March 3, 1976

Mrs. Janice C. Yee  
3169 Alika Avenue  
Honolulu, Hawaii 96817

ODC 48

Re: Betty M. Vitousek

Dear Mrs. Yee:

Your written complaint filed with the Hawaii Bar Association and transferred to this office has been transmitted to the Hawaii Supreme Court inasmuch as we have no legal jurisdiction of matters involving a State judge.

Sincerely yours,

/s/ Jung Y. Lowe  
JUNG Y. LOWE

JYL/hk

APPENDIX "LO"

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Telephone: 595 3426

PLAINTIFF (APPELLANT) § PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE,

Plaintiff Pro Se

vs

ALFRED ALPHONSE YEE

and/or

ALFRED A. YEE & ASSOCIATES,

Defendants

- ) FC-D No. 81258
- ) MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM JUDGMENT OR ORDER;
- ) MOTION FOR DISMISSAL OF JUDGE BETTY VITOUSEK;
- ) MEMORANDUMS OF LAW, ARGUMENTS, AND EXHIBITS;
- ) VERIFIED AFFIDAVIT OF PLAINTIFF;
- ) NOTICE OF HEARING
- ) CERTIFICATE OF SERVICE (not included here)

I. MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM JUDGMENT OR ORDER OF MARCH 9, 1977.

Plaintiff Pro Se hereby "MOTIONS FOR A NEW TRIAL", according to HAWAII FAMILY COURT RULES, Rule 59, "OR, IN THE ALTERNATIVE, RELIEF FROM JUDGMENT OR ORDER", according to Rule 60(b)(1,2,3,4, and 6) of these RULES.

Plaintiff Pro Se Janice Ching Yee hereby also

§ to note FC-D #81258 was appealed as  
HSC #5930 and #6102.

"MOTIONS FOR DISMISSAL OF JUDGE BETTY VITOUSEK", according to HAWAII FAMILY COURT RULES, Rule 63 and/or Rule 60(b)(4).

Both parties are from the State of Hawaii.

The Jurisdiction of This Court to consider and GRANT THESE MOTIONS, reside on HAWAII FAMILY COURT RULES, Rule 91(a), Rule 18, Rule 19, and/or Rule 13(h), and/or the RULES above mentioned; HAWAII REVISED STATUTES, Chapter 657-20, Chapter 657-1(5) for Special Action, Chapter 603-118(c), 425-122, Chapter 751-1, Chapter 806-21, 806-22, 806-36, Chapter 387-4, Chapter 480-2; THE HAWAII SUPREME COURT RULES; CODE OF PROFESSIONAL RESPONSIBILITY'S CANONS AND ETHICAL CONSIDERATIONS, specifically, EC7-21, and/or against contributory violation of EC2-30 and/or EC7-5; AND/OR THE UNITED STATES CONSTITUTION, AMENDMENT ONE, FOUR, FIVE, SIX, SEVEN, EIGHT, THIRTEEN, FOURTEEN, NINETEEN, and TWENTY-SEVEN.

II. MEMORANDUMS OF LAW, ARGUMENTS, AND EXHIBIT.

Plaintiff Pro Se hereby "MOTIONS FOR A NEW TRIAL", according to HAWAII FAMILY COURT RULES, Rule 59, "where a new trial may be granted for good cause to any party on all or part of the issues", and where "the court may open the decree if one has been entered, take additional testimony, amend findings of fact and conclusions of law or make new findings and conclusions, and direct the entry of a new decree"; "OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM JUDGMENT OR ORDER", according to Rule 60 (b)(1,2,3,4, and 6) of HAWAII FAMILY COURT RULES for "newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59(b)", for Plaintiff Pro Se found out only recently on February 15, 1977, there was a 1975 Supplement of the HAWAII REVISED STATUTES, which hurt some of Plaintiff's previous pleadings, causing mistakes, inadvertance, and excusable neglect per Rule 60(b)(1). Also, Plaintiff found new Rules of pertinence for a more just adjudication of this case FC-D #81248 for same Plaintiff.

Plaintiff Pro Se Janice Ching Yee hereby also "MOTIONS FOR DISMISSAL OF JUDGE BETTY VITOUSEK from this case FC-D#81258, whereof Judge Betty Vitousek should be replaced by any other Family Court Judge, per

Rule 60(b)(4) where Judge Vitousek's illegal "guardian ad litem" decree was void and should be expunged or stricken in its entirety, and may This Court please consider and Order it so, according to HRS\*, Chapter 657–20, against Judge Vitousek's malice for suppression of Plaintiff Pro Se Janice Ching Yee as a very capable American woman, against also Judge Betty Vitousek's misconduct in accepting perjured evidence by Dr. Betty Adams, whose "severe chronic mental illness" perjured report was defamatory, libelous, slandersou, and "scandalou"; and should have been stricken by Plaintiff's ex-attorney Robert Hogan, who turned traitor and conspired for suppression of Plaintiff, who was the victim of this prejudiced persecution of Plaintiff, as pled in nine (9) cases for Plaintiff as Plaintiff, whereof Defendant Alfred Alphonse Yee, et al, was the instigator or co-instigator and perpetrator of the Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for coerced ignominy and anomie of Plaintiff against this crime effected by deprivation of income and legal American Constitutional Rights for Plaintiff to collect a good equitable complete settlement and/or collect moneys due Plaintiff to live as a free American citizen and do business with FREEDOM for fair competition, against Judge Vitousek's malfeasance in accepting Dr. Betty Adams' perjured evidence and/or social worker Gerry Nagahisa's "behavior does not relate to the children" or "mumbling to herself" or "her Tuesdays is a bad day", which contributed to Judge Vitousek's malevolent malicious abuse of judicial process for the void unconstitutional illegal "guardian ad litem" Harold Nickelsen, who was dismissed after fourteen months, but didn't have the decency to decline this perjury by Judge Betty Vitousek and contributed to it himself as the perjurer Harold Nickelsen whose unconstitutional restraintive "cruel and unusual" violation was against the Lawyer's Oath of the Hawaii Bar Association also, which promised "to uphold the CONSTITUTION OF THE UNITED STATES and the Laws of Hawaii", whereupon may This Court please Strike both perjured testimony as scandalous testimony by Dr. Betty Adams and/or social worker Gerry Nagahisa, which should have been stricken by negligent malfeasant ex-attorney Robert Hogan, whose error caused "disgrace, abhorrence, odium, hatred, contempt, or ridicule," and caused the exclusion of Plaintiff from society and/or injured the "fame, reputation, or good name of Plaintiff Pro Se Janice Ching Yee, who never committed adultery, crime, or de-

\*HAWAII REVISED STATUTES

liberate sin, whereby Dr. Betty Adams and/or social worker Gerry Nagahisa was in horrible error and Judge Betty Vitousek was in error for accepting their errors.

More "newly discovered evidence" as "other reasons justifying relief from the operation of the decree" follows:

- A. HAWAII REVISED STATUTES, Chapter 657–20 against "Fraudulent Concealment" of Suppression or Oppression by the mentioned defamatory, libelous, slanderous, scandalous, unconstitutional "guardian ad litem" Order which was for Suppression against Plaintiff's Complaints and Actions against Deprivation of income and Legal American Constitutional Rights for Plaintiff for custody of the Children to real Mother Janice Ching Yee as the better parent and to collect maximum income of \$4000.00 – 5000.00 per month for Plaintiff as equitable income for Plaintiff, once for monthly alimony, which can be handled by Plaintiff very well, who pleads for a new Order for Complete Settlement of \$3 million for Plaintiff Pro Se Janice Ching Yee for divorce settlement, against fifty-five (55) months delay in Judge Vitousek's lower Family Court as unconstitutional restraintive "judicial enslavement" which constitutes "involuntary servitude", against Plaintiff who wants a complete settlement and repayment of moneys due Plaintiff so Plaintiff can do business and not be enslaved pleading for Plaintiff's money.
- B. HAWAII REVISED STATUTES, Chapter 657–1(5) for "Special Actions on the case for criminal conversation", as the threats by Alfred Yee, who threatened, "I'll get you" against Plaintiff Pro Se Janice Ching Yee, once as Al's wife, "or for any other injury to the person or rights of any, within six years next after the cause of the action accrued", as acceptance of the defamatory, libelous, slanderous, scandalous, "guardian ad litem" against Al's ex-wife Janice Ching Yee, a capable American woman, whereof the "guardian ad litem" label injured "the fame, reputation, or good name of " same Janice Ching Yee against Alfred Yee, Defendant, who contributed to and perpetrated this coerced "disgrace, abhorrence, odium, hatred, contempt, or ridicule" and caused the exclusion of same Plaintiff Janice Ching Yee, "from society", whereof it caused grievous ment-

al injury as trauma from suffering from this damage by persecution for Suppression of Plaintiff Pro Se for the **UNITED STATES CONSTITUTION'S FIRST AMENDMENT** for ALL FREEDOMS FOR SAME INDIVIDUAL PLAINTIFF JANICE CHING YEE for FREEDOM OF CHOICE and for **AMENDMENT SEVEN, EIGHT, THIRTEEN, FOURTEEN, NINETEEN AND TWENTY-SEVEN** for "due process of law" for Plaintiff against "cruel and unusual punishment" as fifty-five months of "judicial financial enslavement" as "discrimination" against Plaintiff Pro Se's pleas for an equitable distribution of income and/or equitable settlement for Equality as a good, capable, mature American woman JANICE Ching Yee as real Mother of four adults and one minor, whereof divorce was filed September 14, 1972 and/or Plaintiff Janice Ching Yee won final absolute divorce against Alfred Alphonse Yee, filed March 1, 1973; whereof Plaintiff pleads again for custody of son Ian Yee.

- C. **HAWAII REVISED STATUTES, Chapter 603-21.8** for Appeals where, "The several Circuit Courts shall have jurisdiction of all cases that may properly come before them on any Appeal allowed by Law from ANY OTHER COURT or agency." Please consider this as more jurisdiction for This Court to GRANT PLAINTIFF PRO SE JANICE CHING YEE'S "MOTIONS" and ORDER "A NEW TRIAL" OR "RELIEF OF JUDGMENT OR ORDER" for same Plaintiff, who Appeals to This Court to include all pleadings for same Plaintiff Pro Se from "any Court" pled for this case as pertinent for just adjudication of this case for same Plaintiff who also pled in Hawaii Supreme Court as Plaintiff—Appellant Pro Se for case HSC #5930 and case HSC #6102, #5930 being dismissed for prematurity, and/or same Plaintiff Janice Ching Yee also pled as Petitioner Pro Se and Petitioner Appellant Pro Se in the Supreme Court of the United States of America for case U.S.S.C. #75-1429, against Defendants Alfred Alphonse Yee, et al's unconstitutional "enslavement" and suppression.
- D. **HAWAII REVISED STATUTES, Chapter 654-21,**

where "A special proceeding may be brought to secure the immediate possession of personal property in any court by filing a verified petition, showing:

- (1) That the plaintiff is entitled to the immediate possession (monetary relief) of the property (money) claimed;
- (2) A particular description of the property claimed, (money) if the property claimed is a portion of divisible property of uniform kind, quality, or value, that such is the case, and the amount thereof of which the plaintiff claims;
- (3) The actual value of the property claimed;
- (4) That the property has not been taken for a tax assessment, or fine pursuant to a statute, or seized under an execution or an attachment against the plaintiff of his property";
- (5) That the property is in the possession of the defendant (Alfred Alphonse Yee, et al) and the facts and circumstances relating to the possession thereof by the defendant, according to the Plaintiff's best knowledge and belief."

- E. **HAWAII REVISED STATUTES, Chapter 654-23** for New Parties, where "any person designated in the petition as having an interest in the property" "may" "be brought in as a party defendant", whereof Plaintiff Appeals for inclusion of:

1. **HAWAII RULES OF CIVIL PROCEDURE, Rule 19,** for Joinder of ALFRED A. YEE & ASSOCIATES to ALFRED ALPHONSE YEE, as Defendants in case FC-D #81258 for this Joinder of "persons needed for a just adjudication" of this case for Plaintiff Pro Se Janice Ching Yee, who was a founder and silent partner.
2. **HAWAII REVISED STATUTES, Chapter 634-3.** wherefor "Actions against persons by Firm Name" "and any judgment recovered against the firm, as such, may be enforced against the firm property, and against the individual property of any of the associates who have been served with process or who have appeared in the action." Therefore, money ordered, as noted in EXHIBIT "B" of

original "MOTION", filed on Jan. 3, 1977 in Hawaii's Family Court, can be ordered for Plaintiff from the PROFIT SHARING FUND of ALFRED A. YEE & ASSOCIATES.

3. **HAWAII REVISED STATUTES, Chapter 425-118(c)**  
against Defendant Alfred Alphonse Yee, the individual, as ex-husband of Plaintiff, who, once as Al's partner of marriage, was "a partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance", wherefore, Plaintiff hereby presents EXHIBIT "I", for evidence of moneys, as Plaintiff's property, of which ex-husband Alfred A. Yee does owe Plaintiff Janice Ching Yee, as ex-wife.
4. **HAWAII REVISED STATUTES, Chapter 425-122.**  
Right to an account, where "any partner shall have the right to a formal account as to partnership affairs:"  
(b) "if the right exists under the terms of any agreement", as Alfred Yee's promise of a life of luxury for Plaintiff Pro Se Janice Ching Yee, if Plaintiff helped Alfred Alphonse Yee build up his name and business and reputation, whereof Plaintiff once put heart and soul into helping Defendant Alfred Yee, starting out once at \$250. a month at the Navy Yard or \$3000.00 a year man to private business worth nothing until at moment of divorce in 1973, the Alfred A. Yee & Associates business was a million dollar business, giving Alfred Alphonse Yee gross income of \$105,000.00 per year of 1973, wherefore Plaintiff didn't build up writing talents or creative talents or individual business talents, concentrating only on Alfred Alphonse Yee and his needs, wherefore the Company Alfred A. Yee & Associates once was propelled by Plaintiff's contribution as a silent partner; and therefore, since it benefitted, the Company should also be joined as De-

fendants to pay Plaintiff, per Chapter 425-118 and 425-122 of HAWAII REVISED STATUTES.

- (a) "if he is wrongfully excluded from the partnership business or possession of its property by his co-partner". as ex-husband Alfred Alphonse Yee for unconstitutional unfair competition by deprivation of income for Plaintiff Pro Se, Janice Ching Yee as sole proprietor of Pi PRESS.
- (d) "whenever other circumstances render it just and reasonable", wherefore, further delay of payment, as delay by the slow payment of \$350. per month for repayment of other moneys as the \$225,000. less amounts paid (EXH. "B" of filed "Motion" of Jan. 3, 1977, in Hawaii Family Court), which Alfred Yee and/or Alfred A. Yee & Associates does owe Plaintiff Pro Se who hereby Motioned for a New Trial and/or Relief of Judgment or Order of March 9, 1977, against unfair competition methods caused by Defendants which leaves Plaintiff without enough funds to do good business Plaintiff Pro Se has the capability to do, and/or forced Plaintiff's sole proprietorship to borrow \$20,000. @ 10% interest, which is not fair if Plaintiff gets deprived of interest by the Courts, who were in error as prejudice for Alfred Alphonse Yee, et al, Defendants.
5. **HAWAII REVISED STATUTES, Chapter 806-36**  
for Property owned by corporation, where "All property real and personal, whereof any body corporate shall by law have the management, control, or custody, shall" "be deemed to be the property of the body corporate". This applies to Alfred A. Yee and Associates for its property of Hanalei or Guam or Punahou, whereof Plaintiff's ex-attorney, malfeasant Robert Hogan was told of the sale of the Punahou property and Plaintiff should received a share of the Proceeds against Robert G. Hogan.

et al, (Defendants of case Civ. #44244 or HSC #5970, whose negligent, malfeasant, misconduct, didn't assert Plaintiff's Legal Rights to collect Plaintiff's share.

6. **HAWAII REVISED STATUTES, Chapter 806-21**, where "any number of accessories at different times to any felony" as "stolen, taken, extorted, obtained or otherwise disposed of in such manner as to amount to a felony" "may be tried together, notwithstanding the principal felon is not included in the same indictment, or not in custody, or amenable to justice."
- This applies to all of the nine cases of Defendants as Conspirators and Defendants here, who contributed to delay and deprivation and persecution for suppression of Plaintiff Pro Se Janice Ching Yee, who hereby asserts all Legal American Constitutional Rights for Restitution as Monetary Relief for Plaintiff Pro Se.
7. **HAWAII REVISED STATUTES, Chapter 806-22** for Joinder of charges against Defendants where, "if two or more indictments, information or complaints are found or entered in" "cases" "which may be properly joined", "the court" "may order them to be consolidated".
- This applies to all Defendants in nine cases and Defendants here, who aided and abetted Alfred Alphonse Yee, and the Associates as a company, conspired for each other for prejudiced judicial discriminatory persecution and deprive of Plaintiff Pro Se Janice Ching Yee.
8. **HAWAII REVISED STATUTES, Chapter 387-4**, Wage Discrimination prohibited, where "No employer shall discriminate in any payment of wages as between persons of different races or religions or as between the sexes", etc., whereof Plaintiff Pro Se once worked longer hours (and still does) than Alfred Alphonse Yee, et al, getting up earlier, going to bed later, OR, worked as hard as Alfred Yee, OR, worked at equally intelligent work, and should not be so cruelly and unusually punished

by an inequitable distribution of income, which is actual unconstitutional "financial enslavement" as extortion for coercion of non-assertion of Legal American Constitutional Rights for Plaintiff to collect half of Defendants continuing income at moment of divorce, multiplied by years to live for Plaintiff once was promised by Alfred Yee, Defendant, of an easy life from hard work, ending in a life of luxury for Plaintiff and the children or family, against Alfred A. Yee spending money on his 26-year old bride, who had three trips to the Orient since last April, 1976, spending money deprived out of Plaintiff against this violation of **AMENDMENT SEVEN OF THE UNITED STATES CONSTITUTION** for Plaintiff, for **AMENDMENT FOURTEEN** against Judge Vitousek of the lower Family Court against Equal Protection by Law for Plaintiff, so same Pro Se can travel too, for I once worked twenty (20) legal years for Alfred Alphonse Yee, which seems forty (40) for amount of time put in by Plaintiff Janice Ching Yee, for this money, and I should have a turn to rest for **AMENDMENT ONE**, against Violation by the Government Agency, or Government, whereof Judge Betty Vitousek from the Judicial Branch, of this Government does owe Plaintiff Pro Se Janice Ching Yee a Redress of Grievances, against Alfred Yee's bride enjoying the fruits of my labor; which is unfair.

9. **HAWAII REVISED STATUTES, Chapter 480-2** against Unfair Competition, Practices Declared Unlawful, which explains itself against the Defendants' Extortion by Delay for Deprivation of income and Legal American Constitutional Rights for Plaintiff to collect all income possible and earn more income, is also deprivation of opportunity to make income for Plaintiff against "judicial financial enslavement" as coerced "involuntary servitude" by Judge Vitousek, and/or Alfred Alphonse Yee, et al, Defendants' for coerced ignominy or anomie, as evidenced by the wedding invitation sent out by Alfred Yee for Plaintiff Pro

Se Janice Ching Yee's daughter's wedding, where same Plaintiff Janice Ching Yee as Mother of the bride, Lailan, was not accorded the privilege of wording the invitation for REASONS of Social Propriety against coerced anomie against same individual Plaintiff as real Mother, who once labored twenty-seven hours of birth labor pains to see this daughter born. She was partway through the womb or it would have been a caesarean birth. Dr. Lucy Ma who delivered all five of Plaintiff's children for Plaintiff can confirm all of this.  
(EXHIBIT "K")

10. HAWAII RULES OF CIVIL PROCEDURE, Rule 19 and 13(h) for Joinder of the Company Alfred A. Yee & Associates to Alfred Alphonse Yee, the individual, as Defendants for Joinder of "persons needed for a just adjudication" of this case against these Defendants, who contributed to Alfred Yee's greed and malice for delay and defamation by malicious abuse of judicial process for prejudiced persecution for extortion for coercion of non-assertion of Legal American Constitutional Rights for Plaintiff Pro Se to collect money once worked hard twenty (2) legal years for and/or to start a new private business and earn more money as Janice Ching Yee, sole proprietor of Pi PRESS.
11. HAWAII RULES OF CIVIL PROCEDURE, Rule 18 for "Joinder" "of Claims and Remedies" against all Defendants of cases for Plaintiff Pro Se Janice Ching Yee, who pleads again and Appeals for a Complete Equitable Settlement to include Restitution for same Plaintiff for respect for American Constitutional Law for same Pro Se against sixty-five (65) months of damages incurred by Defendants since initiation of divorce on Sept. 16, 1971, in the ex-attorney Robert Hogan's office, not counting the many months leading up to the divorce.
12. HAWAII RULES OF CIVIL PROCEDURE, Rule 42 for Consolidation of Complaint against the Company Alfred A. Yee & Associates to the individual Alfred Alphonse Yee, whereof "to avoid unneces-

sary cost or delay", after all Plaintiff Pro Se never intended frivolity or delay. Plaintiff Pro Se intends to fight for Complete Settlement as Equitable Settlement, for this individual divorce case.

### III. CONCLUSION

In conclusion, Plaintiff Pro Se hereby prays for This Court's Jurisdiction Prerogative, Initiative, and Discretion to GRANT THIS "MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF OF JUDGMENT OR ORDER of March 9, 1977" for same Plaintiff Janice Ching Yee, who has not had any Justice in any Court pled to yet.

Plaintiff Pro Se hereby also calls on the good precedent set by Doris Day, (Day vs. Rosenthal, Calif. Superior Crt. 1974) who was Granted Restitution by California's Sup. Crt. for her as a good businesswoman, who should not have been cheated of her money; OR, Mrs. Jillson (Jillson vs. Caprio, 86 App. D.C. 168, 181 F. 2d 523; Noted, 49 Mich. L.R. 917(1941); 35 Cornell L.Q. 904(1950) who was Granted restitution by Washington D.C.'s Superior Court for her, against her ex-husband, doctor, officials, and others for a "false arrest" medical Restraint against her as Precedent for Plaintiff Pro Se Janice Ching Yee who wants to set a good precedent for Complete Equitable Settlement for a good, capable American woman as same Plaintiff, who prays for This Court to GRANT Plaintiff's "MOTIONS" for fast and reasonable determination for this case, to give Plaintiff Pro Se Janice Ching Yee a Redress of Grievances as part of Complete Settlement of \$3 million for same Plaintiff, so I can thank God for answers to my prayers.

For practical purposes, for it is more feasible, Defendants shall pay Plaintiff Pro Se Janice Ching Yee a sum of \$100,000.00 RIGHT NOW, as fast as possible, as part of the \$400,252.60 due Plaintiff Pro Se, per EXHIBIT "I".

Thereafter, Defendants may pay same individual Plaintiff Pro Se a sum of \$55,000.00 per year OR half of Defendant Alfred Alphonse Yee's salary, per previous year's salary; at the start of the following year; whichever is more until Defendants pay Plaintiff Janice Ching Yee \$3 million, as pled for REASONS pled so many times, for it's TIME to stop the unwarranted vacillatory unconstitutional torture of Plaintiff Pro Se Janice Ching Yee, who pleads for FREEDOM for same Plaintiff as a very capable, independant, good, American woman, who should not suffer.

(s) Mrs. Janice Ching Yee  
**MRS. JANICE CHING YEE**  
 Plaintiff(Appellant) Pro Se  
 3169 Alika Avenue  
 Honolulu, Hawaii, 96817

Dated March 11, 1977.

**MONEYS DUE MRS. JANICE CHING YEE  
 BORROWED BY ALFRED ALPHONSE YEE  
 AND/OR ALFRED A. YEE & ASSOCIATES**

Initial Capital Borrowed From  
 Joint Savings Account or Ad-  
 vanced once to Marriage Part-  
 ner Alfred Alphonse Yee,  
 Whereof Plaintiff won Divorce  
 filed March 1, 1973.

<u>FOR:</u>	<u>Check No.</u>	<u>Date</u>	<u>Amount</u>
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**1) NOBLES FURNITURE**

investment in Guam	889	6/9/72	\$ 15,000.00
	914	7/17/72	16,000.00
	916	7/17/72	1,000.00
	943	7/28/72	8,000.00

NOBLES FURNITURE was  
 sold for \$52,831.40 for  
 gain

6/30/73	11,763.44
---------	-----------

**2) NOTE RECEIVABLE FROM**

**E. E. BLACK**

1972-initial capital from Joint Savings and Checking 7/13/61 & 8/31/61. Other information not available to Plaintiff.	26,387.50*
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**3) TUMON BAY PROPERTY**

and TUMON BAY VIEW	452	11/2/70	300.00
APARTMENTS	460	11/23/70	200.00
	737	1/10/72	3,328.00
	741	1/16/72	988.00
	908(a)	6/28/72	10,625.00

**4) HARMOND FIELD PROPERTY and WAREHOUSE,**

Lot 5165	344	7/8/70	3,000.00
	345	7/8/70	12,933.33
	352	7/20/70	2,000.00
	450	11/2/70	3,462.00
	451	11/2/70	2,742.00

**5) LOT #5166-1-R-1**

\* The initial capital was invested with Plaintiff Janice Ching Yee  
 as ex-wife, so same Plaintiff is entitled to half of Gain.

**EXHIBIT "I"**  
 of APP. "F77-3/14"

JOINT VENTURE, GUAM	908(b)	6/30/72	1,000.00
	919	7/21/72	4,000.00
6) ACADEMY GARDENS' JOINT VENTURE, GUAM	843	4/21/72	25,000.00
7) 2971 KOALI ROAD was sold Initial capital was from Joint Savings and Checking 3/15/66, #106. Other checks not available.		5/1/72	65,983.39*
		Subtotal	<u>\$213,712.66</u>
Plaintiff Pro Se's Share, or half of amount advanced for investment as couple, =			<u>\$106,856.33</u>
8) PATENT APPLICATIONS	266	5/9/70	112.00
Initial Capital from Joint	286	5/25/70	815.00
Savings into Joint Check-	374	8/10/70	116.00
ing, whereof Plaintiff	523	1/18/71	40.00
Janice Ching Yee does not	524	1/18/71	120.00
want any part of the Ap-	536	2/25/71	30.00
plications, so all of the	560	3/31/71	445.00
initial capital should be	585	4/8/71	2,617.50
reimbursed for Plaintiff.	594	4/24/71	220.00
	633	6/10/71	2,617.50
	649	6/19/71	116.00
	675	7/27/71	400.00
	724	9/27/71	50.00
	725	9/27/71	665.00
	726	9/28/71	1,120.00
	736	10/13/71	325.00
	679	11/13/71	20.00
	690	11/20/71	190.75
	707	12/10/71	45.00
	777A	2/22/72	40.00
	804	3/17/72	31.38
	810	3/31/72	375.00
	824	3/31/72	300.00
	830	4/14/72	95.00
	930	7/22/72	104.00
	943	7/28/72	1,164.72

959	8/16/72	192.00
960	8/16/72	125.00
767	11/8/71	<u>150.00</u>
TOTAL REIMBURSABLE FOR PLAINTIFF		\$ 12,641.85
PLUS MONEYS ADVANCED FOR PLAINTIFF		106,856.33
(page 1)		
9) VACATION ACCRUAL	= \$13,291.28 x ½ =	6,645.64
deposited in Alfred A. Yee savings, which was Joint Savings whereof Alfred closed the account in Sept. 1971, without giving Plaintiff Janice Ching Yee, divorcee, my half or without giving Plaintiff access to savings.		
10) ALFRED ALPHONSE		
YEE'S SHARE	= \$65,036.69 x ½½	32,518.34
in the Alfred A. Yee & Associates PROFIT SHARING FUND, FEB. 1973.		
Plaintiff does not have the most recent figures.		
11) MARCO POLO APARTMENTS acquired before absolute divorce for Alfred A. Yee by the Company #1508 worth \$54,000. or #1608 worth \$54,500.		<u>54,000.00</u>
FORWARDED		<u>\$212,662.16</u>
12) ALMIN, INC.		
Initial Capital was from Joint savings and checking, 1963.		
Distribution of income, April 1, 1972	\$15,040.88 x ½ =	7,520.44

13) UNCOLLECTED ALIMONY  
per "REVISIONS FOR RESTITUTION" for EXHIBIT  
"C" for "MOTION TO RE-OPEN AND CONSOLIDATE CASES TITLED", etc., filed February 14, 1977.

180,070.00

MONEYS DUE MRS. JANICE CHING YEE \$400,252.00  
AS PART OF COMPLETE SETTLEMENT\*\*

IN THE FAMILY COURT OF THE CIRCUIT COURT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff/Appellant<sup>△</sup> Pro Se, )  
vs. ) FC-D #81258  
ALFRED ALPHONSE YEE )  
and/or ) VERIFIED AFFIDAVIT  
ALFRED A. YEE & ASSOCIATES, )  
Defendants/Appellees<sup>△</sup>)  
)

VERIFIED AFFIDAVIT  
OF PLAINTIFF

Plaintiff, as Complainant, as Affiant of present address given, is the person who executed the foregoing instrument for same Affiant Janice Ching Yee as a good American woman who never committed adultery, crime, or deliberate sin through a marriage of twenty (20) legal years and five legitimate children for same individual Affiant.

I have read the same and know the contents thereof, where Affiant Janice Ching Yee never intended frivolity or perjury.

The matters stated therein are true to my knowledge, except such matters as are stated to be upon information and belief, and as to those matters, I believe them to be true.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Affiant  
Plaintiff/Appellant<sup>△</sup>Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

Subscribed and sworn to  
this 11th day of March, 1977.

(signed) Anne Osenburg  
Notary Public, First Judicial  
Circuit, State of Hawaii  
My commission expires: Oct. 15, 1978

\*\*ALSO DUE PLAINTIFF JANICE CHING YEE should be the gains from Alfred Alphonse Yee's share of:  
HANALEI PROPERTY, and PUNAHOU APARTMENTS

EXHIBIT "I"

<sup>△</sup> to note FC-D #81258 was appealed as HSC#5930 and #6102.

IN THE FAMILY COURT OF THE CIRCUIT COURT  
STATE OF HAWAII

JANICE CHING YEE )  
Plaintiff (Appellant)△Pro Se )  
vs. ) FC-D #81258  
ALFRED ALPHONSE YEE, )  
and/or ) CERTIFICATE OF  
ALFRED A. YEE & ASSOCIATES, ) SERVICE  
Defendants(Appellees)△ )  
\_\_\_\_\_  
)

CERTIFICATE OF SERVICE

I hereby certify a copy of these "MOTIONS" will be  
served on: Edward Y. C. Chun, et al,  
Attorneys for Defendants Alfred Alphonse Yee, et al  
at: 700 Bishop Street, Suite 1408,  
Honolulu, Hawaii, 96813

for this day of March 11, 1977.

(s) Mrs. Janice Ching Yee  
MRS. JANICE CHING YEE  
Plaintiff(Appellant)△Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff Pro Se, )  
vs. ) FC-D #81258  
ALFRED ALPHONSE YEE, )  
and/or ) NOTICE OF MOTION  
ALFRED A. YEE & ASSOCIATES )  
Defendants. )  
\_\_\_\_\_  
)

NOTICE OF MOTION

TO: Edward Y. C. Chung, et al, Attorneys for Alfred Alphonse Yee  
at: Suite 1408 and/or Alfred A. Yee  
700 Bishop Street & Associates  
Honolulu, Hawaii 96813 Defendants

PLEASE TAKE NOTICE that the foregoing MOTIONS  
will be heard before the Hon. Judge \_\_\_\_\_  
of the Family Court of the First Circuit, in the Judiciary Building, at  
\_\_\_\_\_ and \_\_\_\_\_, 1977,  
or as soon thereafter as counsel can be heard.  
Dated at Honolulu, Hawaii, this March 11, 1977.

MRS. JANICE CHING YEE  
Plaintiff (Appellant) Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii 96817

△to note FC-D #81258 has been appealed as HSC #5930 and #6102.

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii 96817

PLAINTIFF (APPELLANT) PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE,  
Plaintiff Pro Se.

vs.

ALFRED ALPHONSE YEE  
and/or

ALFRED A. YEE & ASSOCIATES,  
Defendants

) FC-D No. 81258  
)  
) STIPULATION FOR  
) MOTION FOR A  
) NEW TRIAL, OR,  
) IN THE ALTERNA-  
) TIVE, MOTION FOR  
) RELIEF FROM  
) JUDGMENT OR  
) ORDER, FILED  
) MARCH 14, 1977  
)

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STIPULATION FOR MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM JUDGMENT OR ORDER, FILED MARCH 14, 1977

---

IT IS HEREBY STIPULATED, that a Judgment should be made and/or determined for "a NEW TRIAL" or "RELIEF OF JUDGMENT OR ORDER", without being heard since so many pleadings have been presented.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff (Appellant) Pro Se  
of 3169 Alika Avenue, Hon.Hi.

(s) Edward Y. C. Chun  
Edward Y. C. Chun, et al,  
attorneys for:  
Alfred Alphonse Yee, et al.  
Defendants  
at: No. 1408, 700 Bishop Street  
Honolulu, Hawaii

APPROVED AND SO ORDERED  
stamped Betty M. Vitousek  
JUDGE OF THE ABOVE EN-  
TITLED COURT

SEAL

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817  
Telephone: 595-3426

PLAINTIFF (APPELLANT) <sup>Δ</sup>PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE  
Plaintiff Pro Se,

vs.

ALFRED ALPHONSE YEE  
and/or

ALFRED A YEE & ASSOCIATES,  
Defendants.

) FC-D No. 81258  
)  
) ADDITIONAL  
) ARGUMENTS AND  
) EXHIBITS IN SUP-  
) PORT OF "MOTIONS"  
)  
) FOR RELIEF.  
)  
FILED March 14, 1977.

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ADDITIONAL ARGUMENTS AND EXHIBITS IN SUPPORT  
OF "MOTIONS" FOR RELIEF, FILED MARCH 14, 1977

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Plaintiff Pro Se hereby presents Additional Arguments and Exhibits "Pi" and "Pi PRESS" for proof of Plaintiff Pro Se Janice Ching Yee's necessity for more income to continue business as a capable businesswoman Janice Ching Yee as sole proprietor of Pi PRESS, registered in the State of Hawaii, on August 2, 1976, but started (not as a company) in 1973 after divorce from Defendant Alfred Alphonse Yee, whereof Plaintiff Pro Se pleads for a fast determination for Financial Settlement for this case FC-D No. 81258, as motioned in Plaintiff's "MOTION FOR A NEW TRIAL, OR, IN THE ALTERNATIVE, MOTION FOR RELIEF FROM JUDGMENT OR ORDER OF MARCH 9, 1977", filed March 14, 1977.

For, Plaintiff Pro Se once in 1976, borrowed \$20,000. for this business and has not been able to make back enough money to pay back this loan, or the printing of recent books, wherefore lack of funds prohibits hiring a sales manager to help sell and advertise, or hiring a secretary to help type these products for Plaintiff Pro Se, who does work between 14-16 hours a day for seven

<sup>Δ</sup>to note FC-D #81258 was appealed as HSC #5930 and #6102

#EXHIBITS not included here for USSC.

(7) days where Plaintiff Pro Se writes as Author Janice Ching Yee, publishes (except the first poetry book, THIS GIFT I PRESENT", reprinted and republished by Vantage Press of New York), advertises, sells, and distributes all products by myself with the exception of ten (10) packages of greeting cards sold by two (2) children of friends.

This is in addition to Pleading alone as Plaintiff Pro Se Janice Ching Yee and caring for the children.

This evidence proves Plaintiff Pro Se Janice Ching Yee has not had any "Justice" in the Courts of Hawaii or the United States Supreme Court, who granted Restitution to three other similar cases of unequities and violations in 1976, but denied the merits of Plaintiff (Appellant) Pro Se (or Petitioner-Appellant Pro Se) for Restitution, Remedy, Recourse or Relief for same JANICE CHING YEE against the Defendants (Appellees) (or Respondents—Appellees) for Unconstitutional Violations of Plaintiff Pro Se's FREEDOM for Free Competition and FREEDOM as a good, Capable, American woman Janice Ching Yee, same Plaintiff for Expungement of the "guardian ad litem" or "court trustee" or Dr. Betty Adams' "severe chronic mental illness" perjured, defamatory, libelous, slanderous, scandalous, report, or Gerry Nagahisa, social worker's "behavior does not relate to the children" "mumbling to herself" "Tuesday is a bad day" perjured, defamatory, libelous, slanderous, scandalous, report against sane, stable, capability of same Plaintiff Pro Se Janice Ching Yee who does not need the latest "court trustee" defamatory, libelous, slanderous, scandalous "Restraint" as an insult for Defendants' Unconstitutional "cruel and unusual punishment" as "involuntary servitude" and deprivation of income and Legal American Constitutional Rights for Plaintiff Pro Se for the UNITED STATES CONSTITUTION AND AMENDMENTS previously mentioned, so same Plaintiff Janice Ching Yee can do straight business as sole proprietor of Pi PRESS, who hereby again pleads for a new Order by this Court for a Complete Financial Settlement for \$3 million for Janice Ching Yee, Plaintiff Pro Se whereof it can be paid as pled by Plaintiff, in the "MOTIONS", filed March 14, 1977; and/or stipulated in the new Order Defendants pay Plaintiff Pro Se as pled, for same Plaintiff Janice Ching Yee whose intentions are all good and who thanks God for these special gifts I have, for it should not be suppressed against God's will for Plaintiff Pro Se.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff(Appellant) Pro Se  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

Dated March 21, 1977.

APPENDIX "F77-3/21"

PRODUCTS BY POETESS-AUTHORESS  
 JANICE CHING YEE  
 PUBLISHED AND DISTRIBUTED BY Pi PRESS  
 Box 23371, HONOLULU, HI. 96822

RETAIL\*

"GOD'S NAUGHTIEST ANGELS"	)	\$ 1.50 )	
"GOD'S BUSIEST ANGELS"	)	1.50 )	all 3 for \$4.00
"GOD'S PUREST ANGELS"	)	1.50 )	
"THIS GIFT I PRESENT" (OF POETRY FROM HAWAII) (Hardcover)	5.95	Republished by Vantage Press, 516 W. 34th St. New York, N.Y., 10001	
"POETRY READINGS":	)		
"THIS GIFT I PRESENT"- cassette tape	)	5.95 )	BOTH or 2 for \$10.00
"POETRY READINGS":	)		
"THIS GIFT OF POETRY FOR CHILDREN" - tape	)		
"THIS GIFT OF POETRY FOR CHILDREN"	5.95 )		
"THIS GIFT OF POETRY FOR LAW AND ORDER FROM HAWAII"		4.50 – softcover 8.00 – hardcover 5.00 – softcover	
cassette tape		8.50 OR, 2 for \$15.00	
"THE COLLEGE MAN'S SUNDAY MEAL"		1.40 – booklet	
"THE FAST GOURMET FROM HAWAII"		14.95 – hardcover, app. 418 pages	

G R E E T I N G S

Christmas Greetings	4.50 – pkg. 10 cards, 10 plain paper, 10 envelopes
Valentine Greetings	5.95 – pkg. 10 cards, 10 heart stickers
"ANGELS" – "Thank You!" – "Happy Birthday" – "Congratulations" – "Hello!" Blue/White card	1.00 – card and envelope 10.00 doz. ea. OR doz. mixed

APPENDIX "Pi"

"MAHALO"	Colored/ Brown card	1.00	card and matching envelope OR 10.00 dozen
"ALOHA"	Colored/ Gold card	1.00	card and matching envelope OR 10.00 dozen
"NEW YEARS"			
	Red/White card	1.00	card and envelope
	Yellow/White card		OR 10.00 dozen
			OR 12 of 6 each

"ANGELFACE" "stickers" @25¢ per sheet of 6, two each of "Angels" pictured. Exact size, blue/white OR \$2.90 dozen sheets.



MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

**PLAINTIFF (APPELLANT)\*PRO SE  
IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII**

JANICE CHING YEE,  
Plaintiff Pro Se,  
vs.  
ALFRED ALPHONSE YEE,  
and/or  
ALFRED A. YEE & ASSOCIATES,  
Defendants.

) FC-D No. 81258  
 ) VERIFIED AFFIDAVIT  
 ) OF JANICE CHING  
 ) YEE FOR DISQUALI-  
 FICATION OF JUDGE  
 ) BETTY VITOUSEK  
 ) FOR BIAS OR  
 PREJUDICE  
 )  
 )  
 ) CERTIFICATE OF  
 SERVICE

**VERIFIED AFFIDAVIT OF JANICE CHING YEE  
FOR DISQUALIFICATION OF JUDGE BETTY VITUOSEK  
FOR BIAS OR PREJUDICE**

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) SS:

COMES NOW, JANICE CHING YEE, whereof being duly sworn on oath deposes and says:

1. She resides in Honolulu, Hawaii, and pleads as Plaintiff (Appellant) \*Pro Se, ex-wife of Alfred Alphonse Yee or Alfred Jim So Yee, whereof she once married Alfred A. Yee on January 29, 1953, whereof Alfred Yee was drawing a salary of \$250.00 a month or \$3000.00 a year as an engineer at the Navy Yard in Pearl Harbor, Hawaii.

2. That, in 1954, she once helped Alfred Yee start in private business from a starting salary of \$2000.00 gross income for the year 1954.

- to note this case was appealed as HSC #5930 and HSC #6102.

3. That, she worked hard as a silent partner once for Alfred Yee from 1953 until 1973. She filed for divorce September 1972, initiating divorce September 16, 1971, but continued to help on all matters pertaining to Alfred Alphonse Yee or Alfred A. Yee and Associates, the Company, until Affiant Janice Yee won final absolute divorce, filed March 1, 1973. For example, in 1972, she talked to Charles Pietch, President of Bishop Corp. and Chairman of the Board of Honolulu Mortgage Co., Ltd., about development of the Waterhouse Property on Kailua Beach, still naming Alfred A. Yee & Associates as possible engineers. Mr. Pietch was one of eight other prominent men in Honolulu's community who were considered and consulted for this possible joint venture. Edward Killingsworth from Killingsworth, Brady, and Smith, architects from Long Beach, California, were considered for architects, and supplied pictures for support for the project, which Mr. Charles Pietch can testify to, or Mr. Killingsworth can testify to making one trip to see the property while on another business trip to the Islands.

4. That, Affiant once helped build up the name of Alfred Alphonse Yee and the company Alfred A. Yee and Associates from its incorporation in June, 1960, after working as a silent partner for Alfred A. Yee for Park & Yee from 1954 until 1960.

5. That, on February 12, 1973, Affiant as Complainant Janice Ching Yee won Final Absolute Divorce and Temporary Custody of the children to Plaintiff against Alfred Alphonse Yee for "irreconcileable differences" (caused by physical violence, mentioned here for evidence of Affiant's as Plaintiff-Appellant Pro Se's pleadings for Restitution as Remedy as Monetary Relief as Recourse against Defendants-Appellees Alfred Alphonse Yee, et al) wherefore it was filed March 1, 1973, wherefore Alfred Yee's salary at moment of divorce was \$105,000.00+ per year, so Affiant as Plaintiff, pled for half of Defendant's salary or \$52,500.00+ per year, multiplied by years of life to live for Plaintiff Janice Ching Yee, for a Complete Financial Settlement of \$3 million for same Plaintiff to include Restitution as Monetary Relief against damages incurred by Defendants Alfred Alphonse Yee, et al, for physical violence, defamation, libel, and slander, compounded by Extortion, Swindle, and Financial "enslavement" or "involuntary servitude", whereof Plaintiff pled Plaintiff could take care of all of the children and their needs except their college tuition.

6. That, Affiant's ex-attorney Robert G. Hogan neglected to assert Plaintiff's Legal Rights for \$4000.00 - \$5000.00 per month for Plaintiff Janice Ching Yee for alimony, who, instead, was awarded \$1,000.00 per month plus expenses, to be paid for by Defendant Alfred Alphonse Yee, who used this Order maliciously for delay as torturous harassment for coercion of bad credit against Plaintiff Janice Ching Yee's good credit record. Also, grocery was paid for only if bought from Chun Hoon Markets, thereby Unconstitutionally against FREEDOM of choice for Plaintiff to shop anywhere for the best and most reasonable food for same Plaintiff and five (5) children, whereof the alimony totaled one-fourth (1/4) of Defendant Alfred Alphonse Yee's income; wherefore Defendant Alfred Yee was spending three-fourth (3/4) by himself, including tuition for the children, which didn't total one-fourth (1/4) or \$25,000.00. Therefore, Alfred Yee, Defendant was spending more than one-half (1/2) of his income by himself, whereof Plaintiff and five (5) children were spending one-fourth (1/4) of income generated by Plaintiff's help of twenty (20) years of work.

7. That, Affiant presented a letter to Mr. Hogan, ex-attorney in March, 1973, for Plaintiff, including an updated Financial Statement for Plaintiff Janice Ching Yee, who presented it and a letter to the Family Court Judge B. Vitousek at the Hearing on July 20, 1973 (tCR† p. 166-232) as a plea for more reasonable and equitable distribution of income.

8. That, Judge Betty Vitousek, in her Supplemental Decision and Order, filed July 30, 1973, incompetantly or maliciously gave custody to Defendant Alfred A. Yee, who was the less competent or less experienced parent, not having had the inclination or time as Plaintiff to relate with the children for example, for five (5) times as Homeroom Mother, or five (5) times as Denmother for the Cub Scouts, or Sunday School teacher, or driving excursions for school, or original birthday parties. Defendant Alfred A. Yee didn't start playing football regularly with his boys until 1969 or 1970.

9. That, Robert G. Hogan, ex-attorney said, "then you won't need the extra money", in answer to the Complaint by Plaintiff whereof the letter to the Court and/or Mr. Hogan was not intended for the loss of custody to Plaintiff, in answer to Plaintiff's plea for more money as equitable distribution of income for Plaintiff and all five children.

10. That, pleas and letters to the Family Court Judge through

Mr. Hogan's office were never retyped, but it was submitted as presented to the Family Court ("tCR", † p. 113-120 and p. 166-135 and p. 247-248), which supposedly considered it, for Complaint of loss of custody and/or Mr. Hogan's treachery.

11. That, Plaintiff presented a report and a plea, dated September 7, 1973 (revised on September 12, 1973) ("tCR"†, p. 166-235 and p. 247-248) for a Complete Financial Settlement at the September 7, 1973 hearing in Hawaii's Family Court, where Plaintiff presented evidences or reasons Plaintiff believes Plaintiff Janice Ching Yee has merit for a Complete Financial Settlement of \$3 million for same Plaintiff (Appellant) Pro Se.

12. That, Plaintiff's report has been copied or plagiarized by magazines and newspapers caused by the delay by Hawaii's Family Court's vacillatory decisions, whereof Affiant as Plaintiff had planned to save the material for further use by Plaintiff as Author, who has lost money through the Family Court's delay as extortion for coercion for loss of income or loss of business.

13. That, Judge Betty Vitousek did not consider Plaintiff's pleas with competance. That, on Nov. 2, 1973, prejudiced Judge B. Vitousek's negligent, malicious, malfeasance caused her to Order illegal Harold Nickelsen as an illegal "guardian ad litem" (tCR, p. 236-237) as a "false arrest" restrictive "enslaver" against a capable American woman Janice Ching Yee, as Plaintiff as Complainant, without "due process of law", and it wasn't until after fourteen (14) months of humiliating, defamatory, scandalous, harassment before malfeasant, negligent, illegal, unconstitutional Harold Nickelsen was dismissed on February 12, 1975 ("tCR", p. 283).

14. That, case FC-D, No. 81258 has been delayed from filing of Complaint on September 14, 1972, and filed Granting of Absolute Final Divorce on March 1, 1973, until this day of April 26, 1977, without a Complete Equitable Financial Settlement for Plaintiff as Affiant Janice Ching Yee.

15. That, Judge Betty Vitousek's malfeasant, negligent, malicious, and Judicial violence delayed the case by fourteen (14) Supplemental Decisions (there were two (2) "Thirteenth" Supplemental Decisions and Orders) and Orders, which outside of the fact Plaintiff won Final Absolute Divorce and earlier temporary Custody of the children to Plaintiff, all of the other Decisions and

+ "tCR" = "the Court Record".

Orders were prejudiced and biased for Alfred Alphonse Yee, et al, the Defendants, for deprivation of income and Legal American Constitutional Rights for Plaintiff to collect a fair equitable settlement for twenty (20) Legal years of marriage. There were also five (5) other decisions. For every plea requesting more money for Plaintiff, it was not answered until six months later and then the lower Family Court's Decisions and Orders decreased or deprived, instead of Relief for Plaintiff's meritorious claims.

16. That, Judge B. Vitousek's bad intentions judicially "enslaved" financially by forcing a loan, which in essence, was of a total of \$225,000.00, unconstitutionally to Defendant Alfred Alphonse Yee, by way of three "promissory notes", one for repayment at \$350.00 per month without interest. Alfred Alphonse Yee does owe Plaintiff more than \$400,000.00+\*\* as a real sum of money as part of Complete Financial Settlement wherefore the \$225,000.00 is money once borrowed without interest out of the divorced couple's previous joint account, as pled, in recent filed pleadings for case FC-D No. 81258 in Hawaii's Family Court, of which Judge Betty Vitousek unconstitutionally let Defendant Alfred Yee borrow it twice, half without interest. One note specified interest, but the interest was confiscated by Defendants and sanctioned by Vitousek's prejudiced, unconstitutional Court for payment of insurance premiums, which deprives unconstitutionally against FREEDOM OF CHOICE FOR PLAINTIFF for spending money as Plaintiff sees fit, which should not be Unconstitutionally used as a burden as extortion for coercion for deprivation of income for Affiant who pled for the face value of the insurance policy, so the policy can be transferred to Defendant Alfred Yee's new wife Lizzie. Plaintiff Janice Ching Yee as Affiant, pled for fast recovery of all this money, as part of Complete Settlement for Plaintiff, so same can do business, against delay as bad intention by the Family Court Judge B. Vitousek or Defendant Alfred Alphonse Yee, et al, for Extortion for Coercion for deprivation of Legal Rights, good Reputation, and Income to continue business for Plaintiff Pro Se Janice Ching Yee, as Sole Proprietor of Plaintiff's own business.

17. That, Judge B. Vitousek has denied any "Motion" or Pleading for Plaintiff Pro Se, Janice Ching Yee, who has never perjured or was frivolous.

\*\* in "Motion", filed March 14, 1977, in Hawaii's Family Court.

18. That, Judge B. Vitousek's last denial on March 9, 1977, was against American Constitutional Law for Plaintiff to collect Plaintiff's money or part of Complete Financial Settlement, as fast as possible against deprivation of time for Affiant as Pro Se Janice Ching Yee as a good, capable American woman who wants FREEDOM to live as I like, with money I once earned, for I helped Alfred Alphonse Yee, et al, Defendants, once set the foundation for his continuing business for its continuing income.

19. That, Judge B. Vitousek's Malfeasant conflict made her refuse to recluse herself, but instead, she hung on for vacillatory, malicious injury of Plaintiff Pro Se for FREEDOM for a new life for same Pro Se Janice Ching Yee, as a capable woman who never committed crime or deliberate sin as adultery, which was mentioned in the pleadings against Defendant's attorney Edward Y.C. Chun, who perjured at the Hearing in Hawaii Supreme Court in October, 1975, of an "interlocutory decree", which never entered in case FC-D No. 81258, whereof Judge B. Vitousek delayed the case for Alfred Yee, who is at fault, but already looked for sixty-six (66) months for a "scapegoat" for libel, defamation, and slander of Affiant, who pleads true as a good woman who never committed crime or deliberate sin as adultery, mental or physical, and should not suffer so by Judge B. Vitousek's Unconstitutional "cruel and unusual punishment".

20. That, Plaintiff's most recent "Motion for a New Trial, Or, in the Alternative, Motion for Relief from Judgment or Order of March 9, 1977, filed March 14, 1977, and "Additional Arguments", etc., filed March 21, 1977, and "Amendments", etc., filed March 29, 1977; OR, Plaintiff's "Motion to Strike Malicious, Perjured, Prejudiced Defamatory, Libelous, Slanderous, Scandalous Testimony And Reports, According to HAWAII FAMILY COURT RULES, Rule 26 and HAWAII REVISED STATUTES, Chapter 657-20; and/or Motion to Reconsider Custody of Children to Plaintiff Pro Se, According to HAWAII FAMILY COURT RULES, Rule 26 and HAWAII REVISED STATUTES, Chapter 657-20:", etc., has not been considered by Judge Vitousek of Hawaii's Family Court as of yet.

21. That, Judge B. Vitousek could have used the 1973 Financial Statements of Alfred Alphonse Yee, or his 1974 Financial Statements, or his 1975 Financial Statements, or his December 1976 Financial Statements for Determination of equitable distribution of income for the parties of case FC-D No. 81258, wherefore

Defendants Alfred Alphonse Yee has a Company of eighteen (18) Associates or a total of fifty-eight (58) men working for him, and he can afford to give Plaintiff Pro Se Janice Ching Yee a Complete Equitable Settlement of \$3 million, for same, as pled, for the most reasonable way given in: Plaintiff's "Amendment of Motion of March 14, 1977", filed March 29, 1977.

22. That, because of Prejudiced Persecution by Judge Betty Vitousek, whose Misconduct was by Malicious Abuse of Judicial Process for Coerced ignominy or Coerced anomie by defamation, libel, and slander for deprivation of income, reputation, and Legal American Constitutional Rights for Plaintiff—Appellant Pro Se Janice Ching Yee, I, as Affiant, hereby Attest to the Disability of Judge Betty Vitousek of Hawaii's Family Court, according to Rule 63 of HAWAII FAMILY COURT RULES, and/or Disqualification of Judge Betty Vitousek, per HAWAII REVISED STATUTES Chapter 601—7(b) against Judge Betty Vitousek's bias or Prejudice against Plaintiff—Appellant Pro Se Janice Ching Yee, who has proved Competance throughout the last fifty-five (55) months of legal action in Hawaii's Family Court, or sixty-seven (67) months, since initiating divorce, and living as a private individual; Plaintiff—Appellant Pro Se Janice Ching Yee pled in Hawaii's Circuit Court from February, 1975; or Plaintiff—Appellant Pro Se Janice Ching Yee pled in Hawaii's Supreme Court from July, 1975; or Petitioner Pro Se and Petitioner Appellant Pro Se Janice Ching Yee pled in the United States Supreme Court from February, 1976. Same Affiant Janice Ching Yee proved Capable as Sole Proprietor of Pi PRESS and Author of eight (8) exclusive Books and two (2) exclusive Greeting Cards, whereof Affiant has proved truthfulness of Affiant's claims as a good CAPABLE American woman Janice Ching Yee, for merits for claims for a Complete Financial Settlement of \$3 million for same Affiant for fast determination as just against further delay or deprivation by Judge Betty Vitousek as Unconstitutional against the UNITED STATES CONSTITUTION, AMENDMENTS ONE, FOUR, FIVE, SIX, SEVEN, EIGHT, THIRTEEN, FOURTEEN, NINETEEN, and TWENTY-SEVEN, specifically.

23. Furthermore, that, Plaintiff—Appellant Pro Se as Affiant of 3169 Alika Avenue, Honolulu, Hawaii, is the person who executed the foregoing instrument for same Affiant Janice Ching Yee, as a good, capable, American woman, who never committed crime or deliberate sin through a marriage of twenty (20) Legal years and five legitimate children for same individual Affiant.

24. That, as Affiant, I have read the same and know the contents thereof, where Affiant Janice Ching Yee never intended frivolity or perjury.

25. That, the matters stated therein are true to my knowledge, except such matters as are stated to be upon information and belief, and as to those matter<sup>s</sup>, I believe them to be true.

26. Further, Affiant Sayeth Nought.

(s) Mrs. Janice Ching Yee  
MRS. JANICE CHING YEE  
Affiant  
Plaintiff(Appellant) Pro Se

Subscribed and sworn to  
this 26th day of April, 1977.  
/s/Aileen N. Sylva  
Notary Public, First Judicial  
Circuit, State of Hawaii  
My commission expires: May 19, 1979.

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, ) FC-D No. 81258  
Plaintiff (Appellant)\*Pro Se, )  
vs. ) CERTIFICATE OF  
ALFRED ALPHONSE YEE ) SERVICE  
and/or )  
ALFRED A. YEE & ASSOCIATES, )  
Defendants. (Appellees). )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

I hereby certify a copy of this "VERIFIED AFFIDAVIT"  
etc., will be served on:

Edward Y. C. Chun, et al attorneys,  
for: Alfred Alphone Yee, et al,  
Defendants  
at: Suite 1408  
700 Bishop Street  
Amfac Building  
Honolulu, Hawaii, 96813  
for this day of April 26, 1977.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Plaintiff(Appellant)\*Pro Se  
at: 3169 Alika Avenue  
Honolulu, Hawaii, 96817

\*to note FC-D #81258 has been appealed as HSC#5930 and HSC#6102.

MRS. JANICE CHING YEE  
3169 Alika Avenue  
Honolulu, Hawaii, 96817

PLAINTIFF (APPELLANT) PRO SE

IN THE FAMILY COURT OF THE FIRST CIRCUIT  
STATE OF HAWAII

JANICE CHING YEE, ) FC-D No. 81258  
Plaintiff Pro Se, ) AMENDMENT OF  
vs. ) VERIFIED AFFIDA-  
ALFRED ALPHONSE YEE ) VIT OF AFFIANT,  
and/or ) FILED APRIL 26,  
ALFRED A. YEE & ASSOCIATES ) 1977,  
Defendants. ) EX-PARTE  
 ) CERTIFICATE OF  
 ) SERVICE  
\_\_\_\_\_ )

AMENDMENT OF VERIFIED AFFIDAVIT  
OF AFFIANT, FILED APRIL 26, 1977, EX-PARTE

AFFIANT JANICE CHING YEE, hereby AMENDS Affiant's  
VERIFIED AFFIDAVIT of April 26, 1977, to be considered EX-  
PARTE, for fast RELIEF for Plaintiff (Appellant) Pro Se as  
Affiant, to include fast Monetary Relief, as pled.

Furthermore, Affiant Amends This Affidavit for Affiant,  
whereof being duly sworn on oath deposes and says:

1. That, the lower Family Court of Hawaii's Judge Betty  
Vitousek accepted Perjured, False Evidence as a Report by Social  
Worker Gerry Nagahisa, filed February 12, 1973 (tCR+ p. 30) and  
Perjured, False Evidence as a Report and Perjured Testimony by  
Psychiatrist, Dr. Betty Adams.

2. That, the Judge Betty Vitousek, contributed to Nagahisa  
&/or Adams' bad intention for Defamation, Libel, and slander,  
which caused loss of custody of the minor children to Affiant in  
1973, who was against this loss caused by Nagahisa and/or Adams'  
Defamation and Libel, which injured "the fame, reputation, or  
good name of" Affiant Janice Ching Yee, and caused temporary  
"disgrace, abhorrence, odium, hatred, contempt", and "ridicule".

APPENDIX "T" 2

and caused Affiant to "be excluded from society", whereof Judge Betty Vitousek Unconstitutionally committed violation of the **UNITED STATES CONSTITUTION'S FIFTH AMENDMENT** against "double jeopardy" by Malicious Abuse of Judicial Process for the illegal ex—"guardian ad litem", which was dismissed, but not expunged yet, per pleadings of Affiant's as Plaintiff's "Motion to Strike", etc. filed, March 29, 1977. This malicious ex—"guardian ad Litem" was replaced by another Unconstitutional Order for an illegal "court trustee" or "commissioner", which is Unconstitutional "double jeopardy" and should be dismissed and expunged immediately.

3. That, the Judge Betty Vitousek's Prejudice made her state in her outer office, "I'm sorry I can't help you", without a word said from Plaintiff Pro Se as Affiant, whose intention was to ask for help to order any one of same Affiant's four sons to spend any night for protection with Affiant against being forced to suddenly spend one hundred eighty (180) weekends (Friday night to Monday afternoon) alone after twenty (20) years of marriage and five (5) legitimate children. This was also pled and denied.

4. That, Affiant certifies Affiant Janice Ching Yee does not intend perjury or frivolity or delay.

5. Further, Affiant Sayeth Nought.

(s) Mrs. Janice Ching Yee  
Mrs. Janice Ching Yee  
Affiant  
Plaintiff (Appellant) Pro Se

Subscribed and sworn to  
this 28th day of April, 1977.

(s) Aileen Y. Sylva  
Notary Public, First Judicial  
Circuit, State of Hawaii  
My commission expires: May 19, 1979

#### APPENDIX LAW

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ALL OF THESE LAWS INCLUDED (AS APPENDICES)  
IN PLAINTIFF-APPELLANT PRO SE'S OPENING BRIEF  
IN HAWAII SUPREME COURT WERE, AND ARE,  
PERTINENT FOR A REDRESS OF GRIEVANCES FOR  
PETITIONER PRO SE

#### JANICE CHING YEE

to set a precedent against nine (9) Respondents Titled who  
conspired deceptively for assassination of Petition Pro Se's  
good character, good reputation and good name Janice  
Ching Yee.

I. UNITED STATES SUPREME COURT RULES(p. )  
AND its RULES:

10. Appeal—How Taken—Parties.

1. An appeal permitted by law to this court shall be taken by filing a notice of appeal, in the form and at the place prescribed by this rule, and shall be perfected by docketing the case in this court as provided in Rule 13.

12. Certification of Record.

4. When more than one appeal is taken to this court from the same judgment, it shall be sufficient to prepare a single record containing all the matter designated or agreed upon by the parties, without duplication.

II. TITLE 28, U. S. CODE, JUDICIARY AND JUDICIAL PROCEDURE (p. ) AND its Section:

1252. Direct appeals from decisions invalidating Acts of Congress.

Any party may appeal to the Supreme Court from an interlocutory or final judgment, decree or order of any court of the United States, the United States District Court for the District of the Canal Zone, the District Court of Guam and the District Court of the Virgin Islands and any court of record of Puerto Rico, holding an Act of Congress unconstitutional in any civil action, suit, or proceeding to which the United States or any of its agencies or any officer or employee thereof, as such officer or employee, is a party.

1257(2). State Courts; appeal;

"(2) By appeal, where is drawn in question the validity of a statute "of any state on the ground of its being repugnant to the Constitution" "of the United States, and the decision is in favor of its validity."

**III. FEDERAL RULES OF CIVIL PROCEDURE:**  
**AND its RULE:**

**63. Disability of a Judge**

If by reason of death, sickness, or other disability, a judge before whom an action has been tried is unable to perform the duties to be performed by the court under these rules after a verdict is returned or findings of fact and conclusions of law are filed, then any other judge regularly sitting in or assigned to the court in which the action was tried may perform those duties; but if such other judge is satisfied that he cannot perform those duties because he did not preside at the trial or for any other reason, he may in his discretion grant a new trial.

**IV. CONSTITUTION OF THE UNITED STATES**

**1. AMENDMENT ONE:**

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; of abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

**2. AMENDMENT FOUR:**

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

**3. AMENDMENT FIVE:**

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land in time or War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use, without just compensation."

**4. AMENDMENT SIX:**

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defense."

**5. AMENDMENT EIGHT:**

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted."

**6. AMENDMENT THIRTEEN; Sec. 1:**

"Neither slavery nor involuntary servitude, except as a

punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."

7. **AMENDMENT FOURTEEN: Sec. 1:**

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

V. A. **HAWAII SUPREME COURT RULES**

1. **Rule 1: "PROCEDURE; ENTRY OF CASES ON DOCKET.**

(a) **Applicability of Other Court Rules; Definitions.**

(1) The Hawaii Rules of Civil Procedure, the Hawaii Rules of Criminal Procedure, the District Court Rules of Civil Procedure, and the District Court Rules of Penal Procedure are hereby adopted as a part of these rules whenever applicable.

2. **Rule 2: "ORDER OF CALENDAR.**

(c) **Advancement on the Calendar.** Disciplinary proceedings, criminal cases, eminent domain cases, other cases which involve or affect some matter of general public interest, adoption cases, cases which involve custody of minor children, cases once adjudicated by this court on their merits and again brought up, writs of habeas corpus, extraordinary writs, and, for good cause, any other cases, may be advanced by leave or order of this court.

(d) **Consolidation.** When cases involving a common question of law or fact are pending before the court, it may order a joint argument and may make other orders concerning pro-

ceedings to avoid any unnecessary costs of delay."

3. **Rule 3(c) Answering Brief.** Within 60 days after receipt of a copy of appellant's opening brief, the appellee shall file an answering brief. This brief shall be of like character with that required of the appellant except that no statement of points shall be required, and no statement of the case shall be required unless the statement of the case presented by the appellant is controverted. The appellee's brief shall contain a counter statement of the questions presented for decision, unless the appellee is satisfied with the statement of questions included in the appellant's brief.

**Rule 3(f) Brief in Default or Not in Conformity With Rule.** "When an appellee is in default, he will not be heard, except on consent of his adversary or by request of the court."

4. **Rule 19: "JUDICIAL CONDUCT.**

**Canons.** The Canons of Judicial Ethics attached hereto as Exhibit B are adopted as a standard of conduct for members of the Hawaii Judiciary."

V B. . HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY'S ETHICAL CONSIDERATION:

1. **EC-2-27:** "History is replete with instances of distinguished and sacrificial services by lawyers who have represented unpopular clients and causes. Regardless of his personal feelings, a lawyer should not decline representation because a client or a cause is unpopular or community reaction is adverse." (i.e. 156 declined)

2. **EC-2-28:** "The personal preference of a lawyer to avoid adversary alignment against judges, other lawyers, public officials, or influential members of the community does not justify his rejection of tendered employment."

3. **EC-2-30:** "Employment should not be accepted by a lawyer when he is unable to render competent service or when he knows or it is obvious that the person seeking to employ him desires to institute

- or maintain an action merely for the purpose of harassing or maliciously injuring another. Likewise, a lawyer should decline employment if the intensity of his personal feeling, as distinguished from a community attitude, may impair his effective representation of a prospective client. If a lawyer knows a client has previously obtained counsel he should not accept employment in the matter unless the other counsel approved or withdraws, or the client terminates the prior employment."
4. EC-7-5: "A lawyer as adviser furthers the interest of his client by giving his professional opinion as to what he believes would likely be the ultimate decision of the courts on the matter at hand and by informing his client of the practical effect of such decision. He may continue in the representation of his client even though his client has elected to pursue a course of conduct contrary to the advice of the lawyer so long as he does not thereby knowingly assist the client to engage in illegal conduct or to take a frivolous legal position. A lawyer should never encourage or aid his client to commit criminal acts or counsel his client on how to violate the law and avoid punishment therefor."
5. EC-7-21: "The civil adjudicative process is primarily designed for the settlement of disputes between parties, while the criminal process is designed for the protection of society as a whole. Threatening to use, or using, the criminal process to coerce adjustment of private civil claims or controversies is a subversion of that process; further, the person against whom the criminal process is so misused may be deterred from asserting his legal rights and thus the usefulness of the civil process in settling private disputes is impaired. As in all cases of abuse of judicial process, the improper use of criminal process tends to diminish public confidence in our legal system."

6. EC-7-22: "Respect for judicial rulings is essential to the proper administration of justice; however, a litigant or his lawyer may, in good faith and within the framework of the law, take steps to test the correctness of a ruling of a tribunal."

#### V.C. HAWAII SUPREME COURT RULES' CODE OF JUDICIAL CONDUCT: CANONS

1. CANON 1: "A JUDGE SHOULD UPHOLD THE INTEGRITY AND INDEPENDENCE OF THE JUDICIARY." An independant and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing, and should himself observe, high standards of conduct so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective."
2. CANON 2: "A JUDGE SHOULD AVOID IMPROPRIETY AND THE APPEARANCE OF IMPROPRIETY IN ALL HIS ACTIVITIES." A. A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. B. A judge should not allow his family, social, or other relationships to influence his judicial conduct or judgment. He should not testify in any proceedings voluntarily as a character witness.
3. CANON 3: "A JUDGE SHOULD PERFORM THE DUTIES OF HIS OFFICE IMPARTIALLY AND DILIGENTLY." The judicial duties of a judge take precedence over all his other activities. His judicial duties include all the duties of his office prescribed by law. In the performance of these duties, the following standards apply: A. Adjudicative Responsibilities. (1) A judge should be faithful to the law

- and maintain professional competence in it. He should be unswayed by partisan interests, public clamor, or fear of criticism.
- (2) A judge should be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, and others with whom he deals in his official capacity, and should require similar conduct of lawyers, and of his staff, court officials, and others subject to his direction and control."
- B. **Administrative Responsibilities.**
- (1) A judge should diligently discharge his administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other judges and court officials.
- (2) A judge should require his staff and court officials subject to his direction and control to observe the standards of fidelity and diligence that apply to him.
- (3) A judge should take or initiate appropriate disciplinary measures against a judge or lawyer for unprofessional conduct of which the judge may become aware."
4. **CANON 4: "A JUDGE MAY ENGAGE IN ACTIVITIES TO IMPROVE THE LAW, THE LEGAL SYSTEM, AND THE ADMINISTRATION OF JUSTICE.**
- A judge, subject to the proper performance of his judicial duties may engage in the following quasi-judicial activities, if in doing so he does not cast doubt on his capacity to decide impartially any issue that may come before him:
- A. He may speak, write, lecture, teach, and participate in other activities concerning the law, the legal system and the admini-

- stration of justice.
- B. He may appear at a public hearing before an executive or legislative body or official on matters concerning the law, the legal system, and the administration of justice, and he may otherwise consult with an executive or legislative body or official, but only on matters concerning the administration of justice.
- C. He may serve as a member, officer, or director of an organization or governmental agency devoted to the improvement of the law, the legal system, or the administration of justice. He may assist such an organization in raising funds and may participate in their management and investment, but should not personally participate in public and private fund-granting agencies on projects and programs concerning the law, the legal system, and the administration of justice."

## **VI. CONSTITUTION OF THE STATE OF HAWAII**

### **1. ARTICLE 1, Sec. 1: POLITICAL POWER:**

"All political power of this State is inherent in the people; and the responsibility for the exercise thereof rests with the people. All government is founded on this authority."

### **2. ARTICLE 1, Sec. 2: RIGHTS OF MAN:**

"All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property. These rights cannot endure unless the people recognize their corresponding obligations and responsibilities."

### **3. ARTICLE 1, Sec. 3: FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY AND PETITION:**

"No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances."

4. ARTICLE 1, Sec. 4: DUE PROCESS AND EQUAL PROTECTION:

"No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry."

5. ARTICLE 1, Sec. 6: RIGHTS OF CITIZENS:

"No citizen shall be disfranchised, or deprived of any of the rights or privileges secured to other citizens, unless by the law of the land."

6. ARTICLE 1, Sec. 8: INDICTMENT, TRIAL BY JURY, CRIMINAL CASES:

"No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the armed forces when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy; nor shall any person be compelled in any criminal case to be a witness against himself."

7. ARTICLE 1, Sec. 9: BAIL, EXCESSIVE PUNISHMENT:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted."

8. ARTICLE ONE, SECTION ELEVEN: RIGHTS OF ACCUSED

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the district wherein the crime shall have been committed, which district shall have been previously ascertained by law or of such other district to which the prosecution may be removed with the consent of the accused; to be informed of the nature and cause of the accusation; to be confronted with the witness against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

9. ARTICLE 1, Sec. 21: EQUALITY OF RIGHTS:

"Equality of rights under the law shall not be denied or abridged by the State on account of sex. The legislature shall have the power to enforce, by appropriate legislation, the provisions of this section."

10. ARTICLE 14, Sec. 4: OATH OF OFFICE:

"All public officers, before entering upon the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States, and the Constitution of the State of Hawaii, and that I will faithfully discharge my duties as ....(name)....to the best of my ability." The legislature may prescribe further oaths or affirmations."

11. ARTICLE 14, Sec. 5: CODES OF ETHICS:

"The legislature and each political subdivision shall adopt a code of ethics, which shall apply to appointed and elected officers and employees of the State or the political subdivision, respectively, including members of boards, commissions and other bodies."

12. ARTICLE 16, Sec. 2: CONTINUITY OF LAWS:

"All laws in force at the time this constitution takes effect and not inconsistent therewith, including, among others, acts of the Congress relating to the lands in the possession, use and control of the Territory of Hawaii, shall be the laws of the State and remain in force, "mutatis mutandis", until they expire by their own limitation, or are altered or repealed by the legislature.

Except as otherwise provided by this constitution, all existing writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, orders, decrees, appeals, causes of action, contracts, claims, demands, titles and rights shall continue unaffected notwithstanding the taking effect of this constitution, except that the State shall be the legal successor to the Territory in respect thereof, and may be maintained, enforced or prosecuted, as the case may be, before the appropriate or corresponding tribunals or agencies of or under the State or of the United States, in the name of the State, political subdivision, person or other party entitled to do so, in all respects as fully

as could have been done prior to taking effect of this constitution."

## VIIA. HAWAII REVISED STATUTES

### CHAPTERS:

1. 387-4: "Wage discrimination prohibited. No employer shall discriminate in any way in the payment of wages as between persons of different races or religions or as between the sexes or pay any female in his employ at wage rates less than the rates paid to the lowest paid male employee in the same establishment for the same quantity and quality of the same classification of work; provided, that nothing herein shall prohibit a variation of rates of pay for male and female employees engaged in the same classification of work based upon a difference in seniority, length of service, substantial difference in duties or service performed, difference in the shift or time of day worked, or hours of work."/L 1959, c 122, +2; Supp, +94-4.5/

2. 425-118: "Rules determining rights and duties of partners. The rights and duties of the partners in relation to the partnership shall be determined, subject to any agreement between them, by the following rules:

(a) Each partner shall be repaid his contributions, whether by way of capital or advances to the partnership property and shall equally in the profits and surplus remaining after all liabilities including those to partners, are satisfied; and must contribute towards the losses, whether of capital or otherwise, sustained by the partnership according to his share in the profits.

(b) .  
(c) A partner who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance.

(d) A partner shall receive interest on the capital contributed by him only from the date when repayment should be made."

3. 480-2: "Unfair competition, practices, declared unlawful. Unfair methods of competition and unfair or deceptive acts or practices in the conducted of any trade or commerce are unlawful." /L 1965, c 129, pt of +1; Supp, +205A-1.2/

4. 490: 1-106: Remedies to be liberally administered. (1) The remedies provided by this chapter shall be liberally administered to the end that the aggrieved party may be put in as good a position as if the other party had fully performed but neither consequential or special nor penal damages may be had except as specifically provided in this chapter or by other rule of law.  
(2) Any right or obligation declared by this chapter is enforceable by action unless the provision declaring it specifies a different and limited effect. (L 1965, c. 208, +1-16)

5. 551-27 Notice, hearing, and appointment of guardian of insane person. When the relations or friends of any insane person apply to any of the circuit court judges to have a guardian appointed for such person, the judge shall cause notice to be given to the supposed insane person of the time and place appointed for hearing the case, not less than fourteen days before the time so appointed. The judge shall also cause notice to be given to the husband, wife, parent, or any child or children of the supposed insane person, if any there be siding within the jurisdiction of the court. In case it appears by return of the summons or by affidavit to the satisfaction of the judge that no such person can be found, the judge may appoint a guardian ad litem to protect the interest of the supposed insane person and cause such notice to be given to the guardian ad litem. If after a full hearing it appears to the judge that the person in question is insane, the judge shall appoint a guardian of her person or estate or both, with the powers and duties hereinafter specified, and, in case of the appointment of a guardian ad litem, provide for the compensation and reasonable and neces-

- sary expenses of the guardian ad litem." (CC 1859, +1350; RL 1925, +3072; RL 1935, +4859; am L 1939, c 100, +1; am L 1941, c 78, +1; R 1945, +12509; RL 1955, +338-10; am L 1957, c 290, +1)
6. 571-8.4: "Jurisdiction." "The senior judge or judge of the family court of the Circuit may direct that any case coming within the jurisdictional provision of this chapter, or all cases of a class or within a district to be designated by him, shall be heard by the district family judge." /L 1973, c 219, pt. of +1/
  7. 571-52.1: "Determination and enforcement of support orders. (Paragraph #2) "At any time when a support order payable through the court appears or is alleged to be inequitable or unsuitable, the court trustee (or "guardian", as the case was) on his own motion may, and when directed by the court shall, institute an investigation into the situation."
  8. 571-54: "Appeal. An interested party aggrieved by any order or decree of the (family) court may appeal to the supreme court for review of questions of law and fact upon the same terms and conditions as in other cases in the circuit court except as hereinafter provided. Where the decree or order affects the custody of a child or minor the appeal shall be heard at the earliest practicable time."
  9. 571-55: "Certification in lieu of oath. Whenever any testimony, declaration, deposition, certification or pleading in the family court is required or authorized may testify, declare, depose, certify, or plead under "penalty of perjury" in such form as may be prescribed by the court."
  10. 571-56: "Offense. A person who makes a false statement which he does not believe to be true commits an offense whether the false statement is made under an oath required or authorized by law or under "penalty of perjury" as authorized by section 571-55."
  11. 571-57: "Penalty. The penalty for the offense of making

- a false statement under "penalty of perjury" shall be the same as would apply if the false statement had been made under oath or affirmation required or authorized by law."
12. 601-7: "Disqualification of judge; relationship, pecuniary interest, previous judgment, bias or prejudice. (b) Whenever a party to any suit, action, or proceeding civil or criminal, makes and files an affidavit that the judge before whom the action or proceeding is to be tried or heard has a personal bias or prejudice either against him or in favor of any opposite party to the suit, the judge shall be disqualified from proceeding therein. Every such affidavit shall state the facts and the reasons for the belief that bias or prejudice exists and shall be filed before the trial or hearing of the action or proceeding, or good cause shall be shown for the failure to file it within such time. Any judge may disqualify himself by filing with the clerk of the court of which he is a judge, a certificate that he deems himself unable for any reason to preside with absolute impartiality in the pending suit or action."
  13. 602-5: "Jurisdiction and powers. The supreme court shall have appellate jurisdiction to hear and determine all questions of law, or of mixed law and fact, which are properly brought before it on exceptions, error, or appeal duly perfected from any other court, judge, magistrate, or tribunal, according to law or by reservation of any circuit court or judge: and original jurisdiction in all questions arising under writs of error, certiorari, mandamus, prohibition, and injunction directed to circuit courts, or to circuit judges, or to magistrates, or other judicial tribunals and returnable before the supreme court. The supreme court and the severable justices thereof in aid of the appellate jurisdiction of the court may issue writs of mandamus, certiorari, prohibition, and habeas corpus and all other writs necessary or proper to

the complete exercise of the appellate jurisdiction of the court. Each of the justices shall have original jurisdiction and power to issue writs of habeas corpus and may make the writs returnable before himself or the supreme court or before any circuit court or any judge thereof."

14. 603-21 **Jurisdiction; circuit courts.** The several circuit Courts shall have jurisdiction, subject to appeal and exceptions to the supreme court according to law, as follows:
- (3) Of all causes, civil or criminal, that may properly come before them on appeal from any other court according to law;
15. 605-2 : **"Attorneys; license required.** No person shall be allowed to practice in any court of record or before a circuit judge at chambers, unless he has been duly licensed so to do by the supreme court; provided, that nothing in this chapter shall prevent any person, plaintiff, " "or accused, (of incompetancy? or spendthrift?) from appearing in person before any court, or justice, and there prosecuting" "his own cause, without the aid of legal counsel."
16. 634-2: **"Joint contractual obligations.** In an action on a contract on which two or more persons are jointly, jointly and severally, or severally liable, the court in which the action is pending has jurisdiction to proceed against such of the obligors as can be served as if they were the only obligors."
17. 634-3: **"Actions against persons by firm name.** Whenever two or more persons, associated in any business, transact such business under a firm name, whether it comprises the names of such persons or not, the summons in such case being served on one or more of the associates or as otherwise provided by rule of court; and any judgment recovered against the firm, as such, may be enforced against the firm property, and against the individual property of any of the associates who have been served with process or who have appeared in the action."

18. 636-11 **Proof; Order; assessment; judgment; liquidated demand.** In case the defendant does not put in an answer to the petition as by law required, the plaintiff may prove service of the summons by personal delivery or service, and default in answering, by the clerk's certificate, and shall thereupon be entitled to demand and receive of the court, or judge at chambers, an order declaring the defendant in default, and authorizing the clerk, if demand be upon a note or any other voucher contemplated by section 634-2, to assess the amount of the plaintiff's claim principal, damages, and interest, and to enter up judgment therefor and for the costs".  
(CC 1859, +1109; am L 1909, c 109, +RL 1925, +2351; RL 1935, 4087; RL 1945, +10069; RL 1955, +230-43)

19. 641-2: **"Review on and disposition of appeal.** In case of appeal to the supreme court from a judgment, order, or decree of a circuit or district court, or a land court, in a civil matter, the supreme court shall have power to review, reverse, affirm, amend, or modify such judgment, order, or decree in whole or in part, and as to any or all of the parties. It may enter an amended or modified judgment, order, or decree, or may remand the case to the trial court for the entry of the same or for other or further proceedings, as in its opinion the facts and law warrant. Any judgment, order or decree entered by the supreme court may be enforced by it or remitted for enforcement by the trial court.

Every appeal shall be taken on the record and no new evidence shall be introduced in the supreme court. The supreme court may correct any error appearing on the record, but need not consider a point which was not presented in the trial court in an appropriate manner. No judgment, order or decree shall be reversed, amended, or modified for any error or defect unless the court is of the opinion that it has injuriously affected the substantial rights of the appellant."

20. 641-16: **Judgment; no reversal when.** The supreme court

may affirm, reverse, or modify the order, judgment, or sentence of the trial court in a criminal matter. It may enter such order, judgment, or sentence, or may remand the case to the trial court for the entry of the same or such other or further proceedings, as in its opinion the facts and law warrant. It may correct any error appearing on the record.

In case of a conviction and sentence in a criminal case (against Plaintiff—Appellant Pro Se against illegal ex—"guardian ad litem" or "court trustee" as "commissioner") if in its opinion the sentence is illegal or excessive it may correct the sentence to correspond with the verdict or finding or reduce the same, as the case may be. In case of a sentence to imprisonment for life not subject to parole, the court shall review the evidence to determine if the interests of justice require a new trial, whether the insufficiency of the evidence is alleged as error or not. Any order, judgment, or sentence entered by the court may be enforced by it or remitted for enforcement by the trial court.

No order, judgment, or sentence shall be reversed or modified unless the court is of the opinion that error was committed with injuriously affected the substantial rights of the Appellant. Nor shall there be a reversal in any criminal case for any defect of form merely in any indictment or information or for any matter held for the benefit of the appellant or for any finding depending on the credibility of witness or the weight of evidence. Except as otherwise provided by the rules of court, there shall be no reversal for any alleged error in the admission or rejection of evidence or the giving of or refusing to give an instruction to the jury unless such alleged error was made the subject of an objection noted at the time it was committed or brought to the attention of the court in another appropriate manner."

21. 654-21

Where brought; petition. A special proceeding may be brought to secure the immediate possession of personal property in an circuit court by filing a verified petition showing:

1. That the plaintiff is entitled to the immediate possession of the property claimed;
2. A particular description of the property claimed; if the property claimed is a portion of divisible property of uniform kind, quality, or value, that such is the case, and the amount thereof which the plaintiff claims;
3. The actual value of the property claimed;
5. That the property is in the possession of the defendant, and the facts and circumstances relating to the possession thereof by the defendant, according to the plaintiff's best knowledge and belief;

22. 656-2:

Consideration need not be in writing. The consideration of any such promise, contract, or agreement, need not be set forth, or expressed, in the writing signed by the party to be charged therewith, but may be proved by any other legal evidence. (CC 1859, +1054; RL 1925 +2666; RL 1935, +3901; RL 1945, +8722; RL 1955, +190-2)

23. 656-3

Representation of another's credit, etc., when actionable. No action shall be brought and maintained to charge any person upon, or by reason of, any representation or assurance, made concerning the character, conduct, credit, ability, trade, or dealings of any other person, unless such representation or assurance is made in writing, and signed by the party to be charged thereby, or by some person, thereunto by him lawfully authorized. (CC 1859, +1055; RL 1925, +2667; RL 1935, +3902; RL 1945, +8723; RL 1955, +190-3)

24. 657-1(5)

Six years. The following actions shall be commenced within six years next after the cause of the action accrued, and not after.

- (1) "Actions for the recovery of any debt"
- (4) "Actions for injuring any goods", "including actions of replevin";
- (5) "Special actions on" "injury to person or rights of any, except as otherwise provided".

25. 657-20: **Extension by fraudulent concealment.** If any person who is liable to any of the actions mentioned in this part, fraudulently conceals the cause of such action from the knowledge of the person entitled thereto, the action may be commenced at any time within six years after the person who is entitled to bring the same discovers that he has such cause of action, and not afterwards."
26. 751-10 **Privileged statements of public officer.** Every public officer, and any board or body of persons having legal jurisdiction and cognizance of a matter, is privileged in writing, printing, or publishing in good faith, and in the usual or in due course of proceedings, any thing, the writing, printing or publishing of which pertains to the legal exercise of his functions and legal discharge of his duty as such. For example, judges are privileged in what concerns the due administration of justice, and juries in rendering their verdicts."( PC 1869, c 32, +11; RL 1925, +4385; RL 1935, +6057; RL 1945 +11459; RL 1955 +294-10)
27. 806-21: **Joinder of defendants, accessories, receivers.** Any number of accessories at different times to any felony, and any number of receivers at different times of the whole or any part or parts of any property which at one time have been stolen, taken, extorted, obtained, embezzled, or otherwise disposed of in such a manner as to amount to a felony may be charged with substantive felonies in the " one "indictment and be tried together, notwithstanding the principal felon is not included in the " one "indictment, or is not in custody, or amenable to justice."
28. 806-22: **Joinder of charges against defendants.** When there are several charges against any person for the same act or transaction, or for two or more acts or transactions of the" similar "class of crimes or offenses, which may be properly joined, instead of having several indictments, informations, or complaints, the whole may be joined in separ-

ate counts in one indictment, information, or complaints. If two or more indictments, informations or complaints are found or entered in such cases, the court or district judge may order them to be consolidated."

29. 831-3.2: **Expungement orders.** (a) The attorney general, or his duly authorized representative within the department of the attorney general, upon written application from a person arrested for, but not charged or convicted of a crime, shall issue an expungement order annulling, cancelling, and rescinding the record of arrest, and, within 60 days."

THESE STATUTES WHICH WERE REPEALED AND REPLACED BY HAWAII REVISED STATUTES' SPECIAL PAMPHLET, TITLE 37, PENAL CODE, effective January 1, 1973 (Amended 1975) ARE HEREBY TENDERED FOR INCLUSION BY THIS HAWAII SUPREME COURT AS APPLICABLE PER ARTICLE 16, Section 2 of HAWAII'S STATE CONSTITUTION FOR PLAINTIFF (APPELLANT PRO SE) JANICE CHING YEE's CASE FC-D No. 81258, WHICH PRECEDED ALL CASES TITLED TO BE JOINED BY CONSOLIDATION (HSC#6529) AS PART AND PARCEL OF FC-D No. 81258's COMPLAINT, FILED SEPTEMBER 14, 1972.

IF THE HONORABLE JUSTICES DO NOT THINK IT APPLICABLE, WILL THE JUSTICES PLEASE EXCUSE THIS AS AN INADVERTIBLE MISTAKE AND ACCEPT THE PENAL CODE's TITLE 37 AS PERTINENT AND/OR APPLICABLE, ACCORDING TO HAWAII REVISED STATUTES, CHAPTER 602-5, 657-20, 806-21, and 806-22, AND/ OR HAWAII SUPREME COURT RULES' CODE OF PROFESSIONAL RESPONSIBILITY's ETHICAL CONSIDERATIONS: 7-22.

30. 701-4: **Malice.** Malice in respect to the commission of any offense, except in cases where it is otherwise expressly provided or plainly intended, includes not only hatred, ill will, and desire of revenge; but cruelty of disposition or temper; and also a motive or desire of gain or advantage to the offender or another; or of doing a wrong or injury to any person or persons, or to the public. It

also includes the acting with a heedless, reckless disregard or gross negligence of the life or lives, the health or personal safety, or legal rights or privileges of another or others, many or few, known or unknown; also the wilful violation of a legal duty of obligation, and wilful contravention of law."

31. 702-11: "Instigation. Whoever instigates another to the commission of any offense, by commanding, soliciting, or offering to hire, or otherwise endeavoring to induce him to commit the offense, shall be subject to the penalty of an attempt to commit the offense."
32. 704-1: "Principal. All who take part in the commission of any offense, or, being present, aid, incite, countenance, or encourage others in the commission thereof, shall be deemed principals therein."
33. 704-2: "Accessory to felony. The offense of any person who is an accessory either before or after the fact to any felony may be dealt with, inquired of, tried, determined, and punished by any court which has jurisdiction to try the principal felony or any felonies committed in any place, in which the act by reason whereof any person has become an accessory has been committed."
34. 704-3: "Accessory before fact. Any person who, not himself being present at the commission of an offense, abets another in the commission thereof, or procures, counsels, incites, commands, or hires another to commit the same, which the other thereupon, in pursuance thereof, commits, is an accessory before the fact, to the commission of the offense." +704-4: "Punishment" as principal.
35. 704-5: "Accessory after fact; punishment. If anyone, not standing in the relation of husband or wife, parent or child, brother or sister, by consanguinity or affinity, to any person guilty, either as principal or accessory before the fact of any offense punishable by imprisonment for life not subject to parole or imprisonment for life, harbors, con-

ceals, maintains, or assists the person, with the intent that the person shall avoid or escape from detection, arrest, trial, or punishment, he shall be deemed an accessory after the fact to the offense; and where punishment for his offense is not otherwise expressly provided, shall be fined not more than \$2000.00 or imprisoned at hard labor not more than ten years. (Grossness of damage incurred should not limit the fine to \$2000.)

36. 728-1: "Conspiracy defined. If two or more persons conspire:
- (1) To commit any offense; (i.e. perjury)
  - (2) To instigate or incite another or others to commit any offense; (i.e. prejudiced persecution for assassination of character)
  - (3) To bring or maintain any suit or proceeding knowing the same to be groundless; (i.e. the charge without due process of incompetency or spendthrift for the illegal malicious abuse of judicial process for the ex-"guardian ad litem" and/or the illegal "court trustee as commissioner") or .
  - (4) To cause another or others to be arrested, charged, or indicted for any offense, knowing them to be innocent thereof; (i.e. the illegal defamatory, libelous, slanderous, perjurious "interlocutory decree" against Appellant's case, whereof Plaintiff—Appellant Pro Se never committed crime or adultery as deliberate sin, which intentional "false testimony" was for coercion for delay for coercion for non-assertion of Legal American Rights for Plaintiff to collect fast restitution against perfidious libelous damages incurred by malicious Defendants—Appellees Alfred Alphonse Yee who knows Plaintiff—Appellant Pro Se Janice Ching Yee lives as a religious woman)  
each shall be guilty of conspiracy."
37. 728-2: "Joining in after formation. Any person know-

ingly acceding to and joining in a conspiracy after the same is formed, is a party thereto, no less than the one who originally takes part in forming the same.

38. 728-3: "Act in pursuance of, unnecessary. It is not requisite that the act agreed upon should be done or attempted in pursuance of the conspiracy; the conspiracy itself constitutes the offense."
39. 728-6: "Trial joint or several. Conspirators may be tried jointly or severally."
40. 741-1: "EXTORTION. Defined. Extortion is the wresting of anything of value from another by duress, meances, or by an undue exercise of power."
41. 747-1: "GROSS CHEAT. Defined. Whoever designedly, by any false pretense and with intent to defraud, obtains from another any money, goods, or other thing of value, is guilty of a gross cheat:"
42. 747-8: "Civil remedy not a bar. No person shall be exempted from criminal prosecution for gross cheating by reason of the party cheated having a remedy against him by civil action."
43. 751-1: "Libel defined. A libel is a publication in writing, print, or by a picture, statue, sign, or a representation, other than by words merely spoken, which directly tends to injure the fame, reputation, or good name of another person, and bring him into disgrace, abhorrence, odium, hatred, contempt, or ridicule, or to cause him to be excluded from society."
44. 756-1: "Perjury defined; oath. Perjury is willfully, knowingly and falsely stating, orally or in writing, some material fact on oath where the oath is required or authorized by law."

VII B. THIS HAS BEEN EXPLAINED AT THE TOP OF PAGE

TITLE 37; PENAL CODE; SPECIAL PAMPHLET

1. 705-520: "Criminal Conspiracy. A person is guilty of criminal conspiracy if, with intent to promote or facilitate the commission of a crime:
  - (1) He agrees with one or more persons that they or one or more of them will engage in or solicit the conduct or will cause or solicit the result specified by the definition of the offense; and
  - (2) He or another person with whom he conspired commits an overt act in pursuance of the conspiracy."
2. 705-521: "Scope of conspiratorial relationship. If a person guilty of criminal conspiracy, as defined in sec. 705-520, knows that a person with whom he conspired to commit a crime has conspired with another person or persons to commit the "exact" crime, he is guilty of conspiring to commit the crime with such other person or persons, whether or not he knows their identity."
3. 705-522: "Conspiracy with multiple criminal objectives. If a person conspires to commit a number of crimes, he is guilty of only one conspiracy if the multiple crimes are the object of the same agreement or continuous conspiratorial relationship."
4. 705-525: "Duration of conspiracy. For purposes of section 701-108, the following apply:
  - (1) Conspiracy is a continuing course of conduct which terminates when the crime or crimes which are its object are committed or the agreement that they be committed is abandoned by the defendant and by those with whom he conspired."
5. 707-724: "Criminal coercion. (1) A person commits the offense of criminal coercion if he intentionally compels or induces another person to engage in conduct from which he has a legal right to abstain or to abstain from conduct in which he has a legal right to engage, by means of instilling in

- him a fear that, if the demand is not complied with, the defendant or a third person will:
- (c) Commit a penal offense; (i.e. "the CRIME")
    - (i) Bring about or continue a strike, boycott, or other similar collective action, to obtain an act or omission which is not demanded for the benefit of the group which the defendant purports to represent." (i.e. coercion for non-assertion of Plaintiff's legal American Rights to collect more income or reasonable restitution, good credit and good reputation).
6. 708-801: "**Valuation of property.** Whenever the value of property or services is determinative of the class or grade of an offense, or otherwise relevant to a prosecution, the following shall apply:
- (1) Except as otherwise specified in this section, value means the market value of the property or services at the time and place of the offense.
7. 708-813: "**Criminal trespass in the first degree.** (1) A person commits the offense of criminal trespass in the first degree if he knowingly (enters or) remains unlawfully in a dwelling". (i.e. Defendant Appellee Stephanie Kokernak committed criminal trespass and unconstitutional "invasion of privacy")
8. 708-815: "**Simple trespass.** (a) A person commits the offense of simple trespass if he knowingly (enters or) remains unlawfully in or upon premises."
9. 708-815: "**Threat**" as used in this section means any threat prescribed by section 707-724(1).
10. 710-1040: "**Bribery.** (A person commits the offense of bribery if:
- (a) He confers, or offers or agrees to confer, directly or indirectly, an pecuniary benefit upon a public servant with the intent to influence the public servant's vote, opinion, judgment,

exercise of discretion, or other action in his official capacity."

11. 710-1060: "**Perjury.** (1) A person commits the offense of perjury if in any official proceeding he makes, under an oath required or authorized by law, a false statement which he does not believe to be true.
12. 710-1061: "**False swearing in official matters.** (1) A person commits the offense of false swearing in official matters if he makes, under an oath required or authorized by law, a false statement which he does not believe to be true, and:
- (b) The statement is intended to mislead a public servant in the performance of his official duty. (i.e. Defendants—Appellees Nagahisa and Adams "perjured" (APPENDIX LAW) libelous Reports for Judge Betty Vitousek whose malice accepted it, knowing it was "perjured" and used it for her Nov. 2, 1974 illegal "order" to "mislead" illegal Harold Nickelsen, who accepted the position, knowing it was illegal and Vitousek's "intent to defraud" (APPENDIX LAW). (OR, Defendant Edward Chun's "interlocutory decree" which was "Perjury").

### VIII. HAWAII RULES OF CIVIL PROCEDURE

1. Rule 18: "JOINDER OF CLAIMS AND REMEDIES.
- (a) **Joinder of Claims.** A party asserting a claim to relief as an original claim, counterclaim, cross-claim, or third-party claim, may join, either as independant or as alternate claims as many claims, legal or equitable, as he has against an opposing party.
  - (b) **Joinder of Remedies; Fraudulent Conveyances.** Whenever a claim is one heretofore cognizable only after another claim has been prosecuted to a conclusion, the two claims may be joined in a single action; but the court shall grant relief in that action

only in accordance with the relative substantive rights of the parties. In particular, a plaintiff may state a claim for money and a claim to have set aside a conveyance fraudulent as to him, without first having obtained a judgment establishing the claim for money."

2. Rule 19(a)(1): "JOINDER OF PERSONS NEEDED FOR JUST ADJUDICATION.

- (a) Persons to be Joined if Feasible. A person is subject to service of process shall be joined as a party in the action if (1) in his absence complete relief cannot be accorded among those already parties.",

3. Rule 26: "GENERAL PROVISIONS GOVERNING DISCOVERY.

- (a) Discovery Methods. Parties may obtain discovery by one or more of the following methods: depositions upon oral examination or written questions; written interrogatories; production of documents or things or permission to enter upon land or other property, for inspection and other purposes; physical and mental examinations; and requests for admission. Unless the court orders otherwise under subdivision (c) of this rule, the frequency of use of these methods is not limited.

- (b) Scope of Discovery. Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:

- (1) In General. Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim (or defense) of the party seeking discovery or to the claim (or defense) of any other party, including the existence, description, nature, custody, condition and location of any books, documents,

or other tangible things and the identity and location of persons having knowledge of any discoverable matter. It is not ground for objection that the information sought will be inadmissible at the trial if the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

4. Rule 42(a): "CONSOLIDATION; (SEPARATE TRIALS.)

"Consolidation. When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay."

5. Rule 56: "SUMMARY JUDGMENT.

- (a) For Claimant. A party seeking to recover upon a claim, counterclaim, or cross-claim or to obtain a declaratory judgment may, at any time after the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in his favor upon all or any part thereof."

IX. HAWAII FAMILY COURT RULES

RULE 91(a). Parties, Plaintiff and Defendant.

Every complaint in a matrimonial action may be prosecuted by any married person in his own name.

## X. RULINGS OF THE U. S. SUPREME COURT

### 1. RULINGS AND PRECEDENTS SET BY:

A. Board of Regents v. Roth, 408 U. S. 564,  
40 LW 5079 (1972)+

B. Perry v. Sinderman, 408 U. S. 593,  
40 LW 5087 (1972)+

"two recent cases decided by the Supreme Court, Board of Regents v. Roth" and "Perry v. Sinderman". "In determining whether due process requirements apply, the Court must look to the nature of the interest at stake to determine whether it falls within the protection of liberty and property afforded by the Fifth or Fourteenth Amendment."

"Moreover, the Court noted: "WHERE A PERSON'S GOOD NAME, REPUTATION, HONOR OR INTEGRITY IS AT STAKE BECAUSE OF WHAT THE GOVERNMENT IS DOING TO HIM, NOTICE AND OPPORTUNITY TO BE HEARD ARE ESSENTIAL." \*emphasis supplied.

+From "LAW WEEK" vol. 44, No. 28, page 2580

### 2. RULINGS AND PRECEDENTS SET BY:\*\*

A. Imbler v. Pachtman, case #75-5435++(see page footnote)

"42 U.S.C. +1983 provides: "Every person who, under color of any statute, ordinance, regulating custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the U. S. or other person within the Jurisdiction thereof to the deprivation of any rights, privilege, or immunities secured by the Constitution . . . . shall be liable to the party injured in an action at law, suit in equity or other proper proceedings for redress."

\*\*may this all be given emphasis for Appellant Pro Se JCY

"As the language itself makes clear, the central purpose of 42 U.S.C. +1983 is to "give a remedy to parties deprived of Constitutional Rights, privileges, and immunities by an official's abuse of his Position." Monroe v Pape, 365 U.S. 167, 172, (1921)

"The United States Constitution, among other things places substantial limitations upon state action, and the cause of action provided in 42 U.S.C. +1983 is fundamentally one for "Misuse of power, possessed by virtue of State law and made possible only because the wrong doer is clothed with the authority of state law." United States v. Classic, 313 U.S. 299, 326. It is manifest then that all state officials as a class cannot be immune absolutely from damage suits under 42 U.S.C. +1983 and that to extend absolute immunity to any group of state officials is to negate "pro tanto" the very remedy which it appears Congress sought to create. Scheuer v. Rhodes, 416 U.S. 232, 243. Thus as there is no language in 42 U.S.C. +1983 extending any immunity to any state officials, the Court has not extended absolute immunity from damage suits to a variety of state officials. Wood v. Strickland, 420, U.S. 308, (1975) (school board members); Scheuer v. Rhodes Supra (various executive officers, including the State's Chief executive officer); Pierson v. Ray, 386 U.S. 547 (1967) (policemen ); and notwithstanding the fact that, at least with respect to high executive officers, absolute immunity from suit of damages would have applied at common law. Spaulding v. Vilas, 161 U.S. 483; Alzua v. Johnson, 231 U.S. 106. Instead we have construed the statute to extend only a qualified immunity to these officials, and they may be held liable for unconstitutional conduct absent "good faith". Wood v. Strickland, Supra, at 315. Any other result would "deny much of the promise of 1983." Id, at 322."+

++All from "LAW WEEK" vol. 44., No 28, page 4257 & 4258.

### 3. RULINGS AND PRECEDENTS SET BY:

A. U.S. v. Winter, 348 F. 2nd 204, 210 (CA 2, 1965)+++

"Once a witness swears to give truthful answers, there is no requirement to " "warn him not to commit perjury, or conversely to direct him to tell the truth." "U.S. v. Winter, 348 F. 2nd 204, 210(CA 2, 1965)"

+++From "LAW WEEK" vol. 44, No. 28, page 4635, par. 4.

B. Harris v. N.Y., 401 U.S., 222 (1970)++++

"The Fifth Amendment privilege cannot be construed to include the right to commit perjury."  
Id. at 225. Harris v. N.Y., 401 U.S., 222 (1970)

++++From "LAW WEEK" vol. 44, No. 28, page 4635, par. 7

OFFICE OF THE CLERK  
SUPREME COURT, STATE OF HAWAII  
HONOLULU

NOTICE OF ENTERING CASE ON CALENDAR

Take notice that I have this day placed on the calendar of the Supreme Court  
the case of JANICE CHING YEE, Plaintiff-Appellant v. ROBERT G. HOGAN, et al.  
(Civil Nos. 44240, 44369, 44245, 45121, 44263, 44264, 44262 & 44570 and  
FC-D No. 81258 - First Circuit Court)

(Opening Brief due on or before June 17, 1977.)

Honolulu, Hawaii,

April 18, 1977.

  
Clerk of Supreme Court.

No. 6529

APPENDIX "tCR"‡

‡ Please excuse printing of "the COURT RECORDS" by reduction before printing.  
There wasn't enough time or money for typesetting and "paste-up" of the matter heretofore presented.

NO. 6529

IN THE SUPREME COURT OF THE STATE OF HAWAII  
OCTOBER TERM 1976

CIVIL NO. 44240 ) CIVIL NOS. 44240, 44869, 44245,  
JANICE CHING YEE, ) 45123, 44263, 44244, 44262,  
Plaintiff-Appellant, ) 44578 and FC-D NO. 81258  
vs. )  
ROBERT G. HOGAN and ) APPEAL FROM THE MOTION TO  
HOGAN, ROTHER, GRIMES & BYBEE, ) REOPEN AND CONSOLIDATE CASES  
attorneys. ) TITLED, ACCORDING TO HRS.  
Defendants-Appellees. ) CHAPTER 657-20; MEMORANDUM  
vs. ) OF LAW, ARGUMENTS, AND EXHIBITS,  
) IN SUPPORT OF MOTION: MORE  
) COMPREHENSIVE AFFIDAVIT FILED  
) IN HAWAII SUPREME COURT, FILED  
) FEBRUARY 14, 1977  
FIRST CIRCUIT COURT  
HONORABLE ARTHUR K. S. FONG  
Judge  
CIVIL NO. 44869 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
STEPHANIE KOKERNAK, )  
Defendant-Appellee. )  
CIVIL NO. 44245 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
EDWARD Y. C. CHUN and )  
CHUN, KEPER, AND DODD, )  
attorneys. )  
Defendants-Appellees. )

RECORD ON APPEAL

CLERK'S SUPREME COURT  
FEB 15 1977 FILED  
53

FILED

CIVIL NO. 45123 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
BETTY VITOUSEN, Judge, )  
and/or the FAMILY COURT OF )  
THE FIRST CIRCUIT OF THE )  
STATE OF HAWAII, )  
\*AND/OR NORITO KAWAKAMI, Judge )  
Defendants-Appellees. )

CIVIL NO. 44263 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
GERRY MAGAHISA, social worker, )  
&/or the ADULT SERVICE BRANCH )  
OF THE STATE OF HAWAII'S )  
FAMILY COURT OF THE FIRST )  
CIRCUIT, and/or BETTY ADAMS, )  
psychiatrist, &/or the DEPART- )  
MENT OF HEALTH OF THE STATE )  
OF HAWAII, )  
Defendants-Appellees. )

CIVIL NO. 44244 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
HAROLD NICKELSEN, )  
and/or COMROY, HAMILTON, )  
GIBSON, NICKELSON, AND )  
RUSH, )  
Defendants-Appellees. )

CIVIL NO. 4/262 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
JAMES S. KOSHIBA, )  
and/or THE HAWAII STATE )  
BAR ASSOCIATION, )  
Defendants-Appellees. )  

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CIVIL NO. 44578 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
vs. )  
ROBERT N. FRANKLIN, )  
Defendant-Appellee. )  

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FC-D NO. 81258 )  
JANICE CHING YEE, )  
Plaintiff-Appellant, )  
ALFRED ALPHONSE YEE, )  
&/or ALFRED A. YEE & ASSOCIATES, )  
Defendants-Appellees. )

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(To Record on Appeal)

JANICE CHING YEE,  
Plaintiff-Appellant, Pro Se

versus

ROBERT G. HOGAN, et al.,  
#44240

STEPHANIE KOKERNAK,  
#44869

EDWARD Y. C. CHUN, et al.,  
#44245

BETTY VITOUSEK, Judge, et al.,  
#45123

GERRY NAGAHISA, et al.,  
#44263

HAROLD NICKELSEN, et al.,  
#44244

JAMES E. KOSHIBA, et al.,  
#44262

ROBERT FRANKLIN,  
#44578

ALFRED ALPHONSE YEE, et al.,  
#81258

Defendants-Appellees

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Circuit Court Clerk's Certificate	38 - 40

TRANSCRIPT:

- Transcript No. 2250 (10 Volumes)
- Transcript No. 2252
- Transcript No. 2258
- Transcript No. 2260
- Transcript No. 2270
- Transcript No. 2277
- Transcript No. 2279
- Transcript No. 2534
- Transcript No. 2575

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## The COURT RECORDS

### TO RECORD ON APPEAL:

CIVIL NOS. 44240, 44269, 44245, 45123, 44263,  
44241, 44261, 44578 and FC-D NO. 81258

The original record in Civil Nos. 44240, 44269,  
44245, 45123, 44263, 44262, 44578 and  
FC-D No. 81258, Circuit Court, First Circuit,  
State of Hawaii, as herein entitled, contains  
all of the original documents entered of record  
in said matters.

### GLOSSARY

HPC - HAWAII FAMILY COURT  
HCC - HAWAII CIRCUIT COURT  
HSC - HAWAII SUPREME COURT  
USSC - UNITED STATES SUPREME COURT

PV; or P/V - PETITIONER'S VERSION

\*<sup>3</sup>\* Petitioner's notification of unfiled  
Motions or Pleadings in the Courts  
not filed. Also noted in individual  
Court Records of nine (9) cases.

APPENDIX "tCR"

Resignation of Contents of Record on Appeal

Page No.

**HAWAII FAMILY COURT****FC-D No. 81258 - J.Yee v. A.Yee, et al. \*\*\***

\*\*\*\*"The COURT RECORD" on APPEAL, for This Case FC-D No. 81258, from the beginning of Complaint until #86 - Notice of Appeal, filed Dec. 15, 1975; was reprinted as APPENDIX "B(3)(a)" in Petitioner's earlier "Joint Petition for a Writ of Certiorari", etc., filed April 7, 1976, which was Denied; and its final Denial for "Rehearing" was filed October 4, 1976. Last letter on the subject was dated December 10, 1976, from the Office of the Clerk of the United States Supreme Court; whereof "the COURT RECORD" for this part is also again presented for consideration as part and parcel of same Petitioner Pro Se's Good Merits.

Heretofore is reappended #76 to #86 AND to the present for evidence of same Petitioner Janice Ching Yee's Merits as a good, capable, American woman.

Resignation of Contents of Record on Appeal (cont.)

Page No.

76. Record on Appeal, filed in Supreme Court, June 27, 1975, received June 20, 1975;

535 - 545

HSC June 27, 1975 - Notice of entering case on calendar

HSC 12

Aug. 25, 1975 - Appearance of counsel (D. N. Ingman)

HSC 13-14

Aug. 25, 1975 - Stipulation extending time (Sept. 25, 1975) for opening brief

HSC 15-16

Aug. 26, 1975 - Plaintiff-appellant's opening brief #5930

HSC 17-179

Aug. 27, 1975 - Letter from Janice Yee re: terminating D. N. Ingman as Counsel for S.C. 5930. Exhibits attached

HSC 180-185

**APPENDIX "tCR v. AY"**Resignation of Contents of Record on Appeal

Page No.

HSC Aug. 28, 1975 - Letter attaching exhibits to be included in opening brief

HSC 186-209

Sept. 22, 1975 - Motion for special summary judgement and custody; or in the alternative; motion for custody and reconsideration of temporary alimony payments and child support.

HSC 210-218

Sept. 25, 1975 - Letter from Janice Yee re: Complete settlement for summary judgement and custody of children

HSC 219

Sept. 29, 1975 - Judgement and reconsideration of temporary alimony and child support payments; Motion to Dismiss: Memorandum of points and authorities in support of motion . . .

HSC 220-226

Oct. 1, 1975 - Re Motion for summary judgement for plaintiff-appellant and custody: Motion to strike defendants-appellees motion Sept. 2, 1975

HSC 227-235

Oct. 1, 1975 - Exhibit "AY" for re-Motion for Summary Judgement for Plaintiff Appellant and custody

HSC 236-237

HSC Oct. 1, 1975 - Certificate of recusal (H. B. Kidwell)

HSC 230-239

HSC 77. Request for transcript of proceedings for Record on appeal, filed Oct. 2, 1975

546

HSC Oct. 2, 1975 - Notice of setting case for argument

HSC 240

HSC 78. Request for transcript of proceedings for record on appeal, filed Oct. 2, 1975

547

HSC Oct. 3, 1975 - Affidavit of plaintiff-appellant

HSC 241-242

HSC 79. Request for Transcript of proceedings for record on appeal, filed Oct. 2, 1975

548

HSC 80. Request for transcript of proceedings for record on appeal, filed Oct. 2, 1975

549

HSC Oct. 7, 1975 - Letter from Janice C. Yee re: Receipt of notice of setting case for argument and request for 4 hour argument time

HSC 243

HSC Oct. 7, 1975 - Letter from J. C. Yee re: Request for transcript

HSC 244

HSC Oct. 10, 1975 - Letter to court from J. C. Yee re: Visitation of children

HSC 245

HSC 81. Request for transcript of proceedings for record on appeal, filed Oct. 15, 1975

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation . . .</u>	<u>Page No.</u>
HSC Oct. 17, 1975 - Assignment of substitute justice (Judge Chang for Kidwell)	HSC 246	HSC Request for Transcript of Proceedings in HSC 4th Hearings at Sept. 2, 1975 Oct. 21, 1975 and Nov. 5, 1975. Letter dated Dec. 29, 1975.	HSC
Oct. 20, 1975 - Notice to amend opening brief for excusable error or neglect	HSC 247-248		
Oct. 20, 1975 - Letter to J. C. Yee from Chief Justice re: Request for transcript - denied	HSC 249	HSC Second letter requesting "copies" of "transcripts" of HSC Hearings for cases HSC#5903 and #5930, dated Jan. 26, 1976.	
HCC 82. Amended request transcript of proceedings for record on appeal, filed Oct. 22, 1975	551	HSC Letter from Office of the Clerk, HSC, denying request for "transcripts", dated Jan. 27, 1976.	
HSC Nov. 3, 1975 - Letter from J. C. Yee to Court re: Complete settlement	HSC 250-252	HSC "MOTION TO GRANT AN INJUNCTION DURING PENDANCY OF AN APPEAL; Memorandums, Arguments, and Exhibits in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se; filed Jan. 26, 1976.	
HSC Nov. 3, 1975 - Decision & order	HSC 253-255	HSC Record on Appeal, filed Jan. 29, 1976, for HSC #6102	
HCC 83. Receipt for Exhibits, etc., returned to First Circuit, Family Court, filed Nov. 4, 1975;	552 - 561	HSC Notice of Entering Case on Calendar, dated Jan. 29, 1976, for HSC #6102, J.Yee v. A. Yee.	
HCC 84. Decision and order, filed in Supreme Court Nov. 3, 1975, received Nov. 4, 1975	562 - 564	HFC 88. Eleventh Supplemental Decision and order, filed Feb. 2, 1976; 583 - 611	
HSC Nov. 5, 1975 - Petition for rehearing	HSC 267-274	PV (HSC) MOTION FOR SUMMARY JUDGMENT AND/OR JUDGMENT ON THE PLEADINGS; Memorandums, Arguments, and Exhibits in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se; refused filing by the clerks and Court. Dated Feb. 3, 1976.	
Nov. 6, 1975 - Letter from J. C. Yee re: Missing page from copies of petition for rehearing	HSC 275	HCC 89. Amended Designation of record on appeal, filed Feb. 10, 1976; 612 Order denying "Motion for Reconsideration" filed Feb. 13, 1976.	
HFC 85. Tenth supplemental decision and order, filed Dec. 3, 1975;	565 - 567	Order denying "Motion for Amendment of Exhibits" filed Feb. 13, 1976.	
PV (HSC) -Appellant's "Motion to consolidate appeals against conspiracy for prejudiced persecution by malicious abuse of judicial process for deprivation of income and legal rights for plaintiff appellant: Motion for judgement on the pleadings; Memorandums of points and authorities affidavit of plaintiff appellant, filed Dec. 5, 1975	(HSC) (for cases to include this plea)	HSC Order denying "MOTION TO GRANT AN INJUNCTION", etc. filed Feb. 13, 1976.	
HFC 86. Notice of Appeal: Designation of record on appeal, filed Dec. 15, 1975	568 - 570	HCC 90. Supplemental Record on Appeal, filed in Supreme Court February 13, 1976, received February 17, 1976; 613 - 615	
PV (HSC) Appellant's "Motion for Judgement on the Pleadings for Plaintiff-Appellant pro se; Memorandums of Law in Support of Motion; Affidavit of Plaintiff-Appellant pro se; was refused filing by the clerks or court dated Dec. 22, 1975. Letter to the Justices for approval for filing, dated December 23, 1975 was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801.	(HSC) for cases to include this plea)	HSC "MOTION TO ASSIGN S.C. No. 5930; THE NUMBER OF THE ORIGINAL APPEAL FOR CASE PC-D No. 81258; to CASE S.C. No. 6102; Memorandum and Argument in Support of Motion; Affidavit of Plaintiff-Appellant Pro Se, filed Feb. 13, 1976, presented Feb. 10, 1976.	
		HSC Order Denying "Motion for Relief and/or Motion to Amend Opening Brief; AND/OR Denying "Motion for Summary Judgment and/or Judgment on the Pleadings", filed Feb. 13, 1976.	

Designation of Contents of Record on Appeal

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- PV(HSC) "OBJECTION TO ORDER OF FEBRUARY 13, 1976; AND/OR MOTION TO RECONSIDER MOTION TO GRANT AN INJUNCTION, ETC.; Memorandums, Arguments, and Exhibits in Support Of Objection and/or Motion; Affidavit of Plaintiff-Appellant Pro Se, presented Feb. 16, 1976, denied filing by the Clerks or Court.  
\*\*\*
- HSC Appellant's "MOTION FOR TEMPORARY MONETARY RELIEF", etc. for HSC #6102, dated February 20, 1976, returned on March 1, 1976 and denied filing by the Clerks and Court.
- HCC 91. Notice of Amendment of Appeal; Designation of Record for this Appeal; Affidavit of Plaintiff; Certificate of Service, filed February 23, 1976; HCC 91. Notice of Amendment of Appeal; Designation of Record for this Appeal; Affidavit of Plaintiff; Certificate of Service, filed February 23, 1976; 616 - 620
- HFC 92. Motion to Strike; Motion for Summary Judgment or Judgment on the Pleadings; Both Motions "None Pro Tunc", February 27, 1976 Pleading; Memorandums, Arguments, and Exhibit; Affidavit of Plaintiff, filed February 23, 1976; HFC 92. Motion to Strike; Motion for Summary Judgment or Judgment on the Pleadings; Both Motions "None Pro Tunc", February 27, 1976 Pleading; Memorandums, Arguments, and Exhibit; Affidavit of Plaintiff, filed February 23, 1976; HFC 621 - 639
- HFC 93. Certificate of Service, filed February 23, 1976; 640
- HCC 94. Affidavit of Henry L. W. Seto, filed February 24, 1976; 641 - 642
- HSC Order denying "Motion to Assign S.C. No. 5130", etc. filed February 27, 1976.
- HCC 95. Second Supplemental Record on Appeal, filed in Supreme Court February 25, Received March 1, 1976; 643 - 645
- HSC March 1, 1976 - Clerks denied filing of: Appellant's:  
1."MOTION FOR TEMPORARY MONETARY RELIEF", etc., dated Feb. 20, 1976, for HSC #6102.  
2."OBJECTION TO ORDERS OF FEBRUARY 13, 1976 DENYING RECONSIDERATION OF THE DEC. 5, 1975 MOTION TO CONSOLIDATE APPEALS, ETC., &/OR ORDERS DENYING AMENDMENT OF EXHIBITS FOR RESTITUTION; AND/OR, MOTION TO ALTER ORDER OF FEBRUARY 13, 1976 OR RETRIAL OF ALL CASES,-- for the "Consolidated" Cases , presented February 17, 1976.  
3."OBJECTION TO ORDER OF FEBRUARY 13, 1976; AND/OR MOTION TO RECONSIDER MOTION TO GRANT AN INJUNCTION, ETC., for HSC #6102, presented February 17, 1976.  
4."OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION TO AMEND OPENING BRIEF; MOTION FOR SUMMARY JUDGMENT AND/OR JUDGMENT ON THE PLEADINGS FOR APPELLANT PRO SE; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF", etc., presented February 17, 1976, for HSC#6008.  
5."OBJECTION TO ORDER OF FEBRUARY 13, 1976, DENYING MOTION FOR RELIEF, ETC. AND/OR MOTION TO AMEND OPENING BRIEF; AND/OR DENYING MOTION FOR SUMMARY JUDGMENT AND/OR JUDGMENT ON PLEADINGS; MOTION FOR RECONSIDERATION OF MOTION TO AMEND OPENING BRIEF," etc., for HSC #5924, presented February 17, 1976.  
Certified mail Feb. 17. 1976 to Appellees.

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- HSC Plaintiff-Appellant Pro Se's OPENING BRIEF, filed March 2, 1976, for HSC #6102; J.Yee v. A. Yee, et al. notice of hearing dated march 2, 1976, for march 9 1976, at 9.a.m. letter from the office of the disciplinary counsel June Lowe of the supreme court of the state of hawaii contradicting his position and denying jurisdiction against judge vitousek in violation of hawaii supreme court's judicial code and/or hawaii code of professional responsibility's ethical consideration 7-21 against malicious abuse of judicial process as misconduct., dated march 3, 1976. appellant's letter acknowledging notice of hearing, dated march 4, 1976.
- HSC Letter to Hawaii Supreme Court, requesting order of arguments for ease of non-interruptions of sequences of events, dated March 8, 1976, for Hearing Mar. 9, 1976. hearing march 9, 1976. appellant's letter to mr june lowe dated march 10, 1976.
- HSC March 19, 1976: Appellant's letter requesting a copy of transcript for March 9, 1976 Hearing.
- HSC Appellant's "MOTION FOR RELIEF OF JUDGMENT"; etc., presented March 19, 1976, denied filing by Clerks & Court. Signed receipt by Appellees,(A.A. Yee, et al) attorney's secretary.
- HFC 96. Motion for Relief of Judgment; Memorandums of Law and Arguments in Support of Motion; Affidavit of Plaintiff Pro Se; Notice of Motion; Certificate of Service, filed March 22, 1976; 646 - 655
- HFC 97. Amendment of Motion for Relief of Judgment, filed March 22, 1976; 656 - 657
- HSC Appellant's "MOTION TO AMEND OPENING BRIEF; Memorandums, Arguments, and Appendices in Support; Affidavit", etc. filed March 23, 1976 for HSC #6102
- HSC Order denying "MOTION TO AMEND OPENING BRIEF", filed March 31, 1976.
- USSC "JOINT PETITION FOR WRIT OF CERTIORARI,"etc., filed April 7, 1976, in the Supreme Court of the U.S.
- HFC 98. Twelfth Supplemental Decision and Order, filed April 7, 1976; 658 - 659
- HFC 99. Motion to Strike Vitousek's Twelfth Supplemental Decision and Order; Exhibit in Support of Motion; Affidavit of Plaintiff Pro Se; Certificate of Service; Stipulation for Non-Moving for Motion, filed April 8, 1976; 660 - 661

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BEST COPY AVAILABLE

Designation of Contents of Record on Appeal

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- HSC 100. Notice of Second Amendment of Appeal; Designation of Record for Second Amendment of Appeal; Affidavit of Plaintiff (Reaffirmation) Certificate of Service, filed April 9, 1976; 666 - 670
- USSC Letter to Office of the Clerk, USSC, dated Apr. 10, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Apr. 15, 1976, upon mailing of "Supplement to Joint Petition".
- USSC Letters from Clerk Lazowski of USSC, dated Apr. 12 and Apr. 16, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Apr. 17, 1976.
- USSC "SUPPLEMENT TO JOINT PETITION", etc., filed April 19, 1976, in the Supreme Court of the U.S.
- HSC Appellant's "MOTION FOR RELIEF OF JUDGMENT AND/OR AMENDMENT OF OPENING BRIEF TO CONFORM TO THE EVIDENCE; Memoranda of Law, Arguments, and Exhibits; Affidavit", etc., presented April 21, 1976, and denied filing by Clerks and Court. Certified mail to Appellees.
- HSC 101. Request for Transcript of Proceedings for Record on Appeal, filed April 22, 1976; 671
- (Unassigned page) 672
- USSC Letter of Denial of Petition for 75-1143, received Apr. 24, 1976. Was dated April 5, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Apr. 24, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Apr. 25, 1976.
- USSC Letter from Clerk Lazowski of USSC, dated Apr. 27, 1976.
- HSC Appellant's letter to the Court and Appellees' notifying of non-scheduling of events from May 3 to May 10, during Appellant's vacation away.
- HSC Appellees' "MOTION TO DISMISS", etc., filed May 3, 1976.
- HSC Certificate of Recusal by Justice Kidwell, filed May 20, 1976.
- HSC Appellant's "MOTION FOR AMENDMENT TO INCLUDE ALL ADDITIONAL RECORD ON APPEAL FOR CONSIDERATION; Memorandum; "Arguments in Support of Motion", Affidavit," etc., Filed May 21, 1976.

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- HSC APPELLANT'S "REPLY BRIEF; OR IN THE ALTERNATIVE, MOTION TO STRIKE APPELLEE'S MOTION TO DISMISS, ETC.;" Affidavit, refused filing by the clerks when presented on May 22, 1976. Letter to Justices, ignored for Approval for filing, dated May 24, 1976.
- HSC Appellant's "MOTION TO STRIKE APPELLEE'S "MOTION TO DISMISS, ETC." filed May 26, 1976, after deletion of Exhibit "A".
- HSC NOTICE OF HEARING, for HSC #6102 on June 1, 1976 at 9 a.m.; dated May 25, 1976. By phone, clerk postponed Hearing until June 4, 1976 at 9:30 a.m.
- HSC Appellant's acknowledgment of Receipt of Notice of Hearing, dated May 28, 1976.
- USSC Letter of Denial of "JOINT PETITION", dated June 1, 1976, for 75-1429.
- USSC Letter to Office of the Clerk, USSC, dated June 6, 1976.
- HSC Appellant's "MORE COMPREHENSIVE AFFIDAVIT OF JANICE CHING YEE FOR OPENING BRIEF", filed June 7, 1976 for HSC #6102.
- HSC Order Denying "MOTION FOR AMENDMENT TO INCLUDE ALL ADDITIONAL RECORD ON APPEAL FOR CONSIDERATION"; filed June 7, 1976.
- USSC Letter from Clerk Lazowski of USSC, dated June 9, 1976
- USSC Letter to Office of the Clerk, USSC, dated June 13, 1976.
- HSC "PETITION FOR RECONSIDERATION FOR "MOTION TO INCLUDE ADDITIONAL RECORD", etc."; filed June 14, 1976.
- USSC Letter to Office of the Clerk, USSC, dated June 21, 1976.
- USSC "JOINT PETITION FOR REHEARING FOR JOINT PETITION", etc., filed June 24, 1976, in the U.S.S.C.
- HSC Order Denying "PETITION FOR RECONSIDERATION", etc., filed June 29, 1976.
- HSC Order for Supplemental Brief and more specific and definite meeting of requirements of Rule 3(b)-(4), (5) and (7), Rules of Supreme Court, within thirty (30) days from the date of this order, filed July 1, 1976. This was unjustified.

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- HSC Appellant's SUPPLEMENTAL OPENING BRIEF, filed July 15, 1976 for HSC #6102.
- USSC Letter to Office of the Clerk, USSC, dated Sept. 8, 1976.
- HSC Appellee's "Motion to Dismiss the Appeal", etc., filed September 13, 1976, for HSC #6102.
- HSC Appellant's "MOTION TO STRIKE DEFENDANTS-APPELLEES' MOTION FOR DISMISSAL", etc., filed Sept. 16, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Sept. 23, 1976, upon mailing of Supplemental Appendix for Joint Petition for Rehearing".etc.
- USSC "SUPPLEMENTAL APPENDIX FOR JOINT PETITION FOR REHEARING", filed October 1, 1976
- USSC Letter of Denial of "JOINT PETITION FOR REHEARING", dated October 4, 1976.
- HSC Order Dismissing Appeal, filed October 6, 1976.
- HSC Appellant's "MOTION FOR A NEW TRIAL AND/OR RELIEF FROM JUDGMENT OR ORDER", etc., filed Oct. 12, 1976.
- USSC Letter to Justices of USSC, dated Oct. 15, 1976; AND, Office of the Clerk, upon sending "Motion for Relief from Judgment or Order".
- HSC Appellant's "ADDITIONAL MEMORANDUMS OF LAW AND ARGUMENTS FOR "MOTION FOR A NEW TRIAL", etc., filed Oct. 18, 1976.
- HSC Appellant's "STATEMENT OF EVIDENCE OR PROCEEDINGS OF OCT. 21, 1975 HEARING FOR SUPPORT OF APPELLANT'S COMPLAINTS AND CLAIMS", presented October 12, 1976 (against Edward Y.C. Chun's "perjury") denied filing by the Clerks and Court.
- HSC Letter to the Justices for approval of filing of "Statement of Evidence", etc., ignored by Justices. Presented Oct. 18, 1976.
- USSC "MOTION FOR RELIEF FROM JUDGMENT OR ORDER OF OCTOBER 4, 1976, FOR JOINT PETITION FOR REHEARING FOR JOINT PETITION FOR WRIT OF CERTIORARI", was "Received" on Oct. 18, 1976; and "Received" again Nov. 1, 1976, who denied filing, for it couldn't be considered.
- USSC Letter from Clerk Rodak of USSC, dated Oct. 20, 1976.
- USSC Letter to Office of the Clerk, USSC, dated Oct. 22, 1976.
- USSC Letter to the Justices of USSC, dated Oct. 29, 1976.
- USSC Letter from the Clerk Larson of USSC, dated Oct. 28, 1976.
- USSC Letter from Clerk Larson of USSC, dated Nov. 5, 1976.

Designation ...

- HSC Appellant's SUPPLEMENTAL MEMORANDUMS OF LAW AND ARGUMENTS FOR OCT. 12, 1976's "MOTION FOR A NEW TRIAL", filed Nov. 8, 1976.
- HPC 102. Motions for Modification of Terms of Trust and for Appointment of Chief Clerk as Trustee; and to Direct Payment of Premiums Due on Policies of Life Insurance; Affidavit of Edward Y. C. Chun; and Notice of Motion, filed November 8, 1976; 673 - 682
- HPC 103. Motion to Strike Defendant's "Motion for Modification", etc., and/or Motion for Summary Judgment for Plaintiff Pro Se; Memorandums, Arguments, and Exhibits in Support of Plaintiff's Motions, filed November 12, 1976; 683 - 698
- HSC Appellant's THIRD SUPPLEMENTAL OR ADDITIONAL MEMORANDUMS, ARGUMENTS, AND EXHIBIT TO CONFORM TO THE EVIDENCE FOR "Motion", filed Oct. 12, 1976; Nov. 15, 1976,-filing.
- HSC Order Denying: 1) "MOTION FOR A NEW TRIAL" 2) "ADDITIONAL MEMORANDUMS OF LAW" 3) "SUPPLEMENTAL MEMORANDUMS" 4) "Letter" to Justices, dated Oct. 18 5) "THIRD SUPPLEMENTAL", etc. filed Nov. 17, 1976.
- HSC Appellant's Letter of Formal Objection to Order of Nov. 17, 1976, Denying "each and every application" filed for HSC #6102.
- HPC 104. Request for Transcript of Proceedings for Record on Appeal, filed November 17, 1976; 699
- USSC Letter to Office of the Clerk, USSC, dated Nov. 17, 1976.
- HSC Appellant's OBJECTION TO HSC's ORDER OF NOV. 17, 1976, NUNC PRO TUNC, NOV. 22, 1976 PER PLAINTIFF APPELLANT PRO SE'S INTENTION, presented Nov. 24, 1976, denied filing by the clerks and/or consideration by the Justices for approval for filing.
- HPC 105. Additional Memorandums and Arguments for Plaintiff (Appellant) Pro Se's "Motions", Filed November 12, 1976, filed November 22, 1976; 700 - 702
- HPC 106. Correction of "Inadvertant Neglect" Found in Additional Memorandums, etc., Filed November 22, 1976, filed November 22, 1976; 703
- USSC Letter from the Clerk Larson of USSC, dated Nov. 23, 1976.
- USSC Last letter on the subject of the "JOINT PETITION FOR WRIT OF CERTIORARI", filed April 7, 1976; dated December 10, 1976; no possibility of relief at this time.

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HFC 107. Twelfth Supplemental Decision and Order, filed December 30, 1976; HCC 704 - 705

HFC 108. Amendment to Twelfth Supplemental Decision and Order, filed December 30, 1976; HCC 710 - 711

HFC 109. Motion for Trial for Reconsideration, Relief, and Amendment; Memorandums, Arguments, and Exhibit; Stipulation for Judgment on the Pleadings Without a Hearing, filed January 3, 1977; HCC 712 - 724

HFC 110. Letter from Edward Y. C. Chun to Honorable Betty M. Vitousek, dated and filed January 13, 1977; HCC 725

HFC 111. Additional Memorandum, Arguments, and Exhibits for Filed Motion of January 3, 1977, filed January 21, 1977; HCC 726 - 733

HCC PLAINTIFF PRO SE'S MOTION TO REOPEN AND CONSOLIDATE CASES TITLED, ACCORDING TO HRS, CHAPTER 657-20; MEMORANDUMS OF LAW ARGUMENTS, AND EXHIBITS, IN SUPPORT OF MOTION; MORE COMPREHENSIVE AFFIDAVIT FILED IN HAWAII SUPREME COURT; CERTIFICATE OF SERVICE, filed feb. 14. 1977.

HCC PLAINTIFF PRO SE'S STIPULATION FOR MOTION TO REOPEN AND CONSOLIDATE CASES TITLED, ACCORDING TO HAWAII REVISED STATUTES, CHAPTER 657-20, FILED FEBRUARY 14. 1977. filed feb. 18, 1977

HCC PLAINTIFF PRO SE'S ADDITIONAL MEMORANDUMS OF LAW IN SUPPORT OF "MOTION TO REOPEN AND CONSOLIDATE CASES TITLED," ETC. FILED FEB. 14, 1977"; filed feb. 24. 1977.

HCC Hearing March 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong

HCC Request for transcript of Hearing of March 1, 1977.

HCC 112. Order Denying Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20, filed March 7, 1977; in Circuit Court - Fong's Court 734 - 735

HCC 113. Notice of Appeal; Designation of Record on Appeal, filed March 7, 1977; re: Fong's Court 736 - 738

HCC 114. Certificate of Service, filed March 7, 1977; 739

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Designation of Contents of Record on Appeal:

Page No.

HFC 115. Order Denying Motion for Trial for Reconsideration, Relief, and Amendment, filed March 9, 1977; from Vitousek's court. HCC 740

HFC 116. Motion for a New Trial, or, in the Alternative, Motion for Relief from Judgment or Order; Motion for Dismissal of Judge Betty Vitousek; Memorandums of Law, Arguments, and Exhibits; Verified Affidavit of Plaintiff; Notice of Hearing; Certificate of Service, filed March 14, 1977; HCC 741 - 761

HFC 117. Stipulation for Motion for a New Trial, or, in the Alternative, Motion for Relief from Judgment or Order, Filed March 14, 1977, filed March 14, 1977; HCC 762

HCC 118. Receipt for Exhibits, etc., Returned to First Circuit Court, filed March 16, 1977; HCC 763 - 773

HFC 119. Additional Arguments and Exhibits in Support of "Motions" for Relief, Filed March 14, 1977, filed March 21, 1977; HCC 774 - 778

HFC 120. Amendment of "Motions", Filed March 14, 1977, filed March 29, 1977; HCC 779 - 781

HFC 121. Motion to Strike Malicious, Perjured, Prejudiced, Defamatory, Libelous, Slanderous, Scandalous, Testimony and Reports, According to HFCR, Rule 26 a and HRS, Chapter 657-20; and/or, Motion to Reconsider Custody of Children to Plaintiff Pro Se, According to HFCR, Rule 26 and HRS, Chapter 657-20; Memorandums and Arguments; Verified Affidavit of Plaintiff; Stipulation on Non-Hearing, or Discretion of Judge; Certificate of Service, filed March 29, 1977; HCC 782 - 804

HCC 122. Amended Request for Transcript of Proceedings for Record on Appeal, filed April 5, 1977; HCC 805

HCC 123. Letter from Patrick J. O'Sullivan, Jr., Chief Clerk, to John Hancock Mutual Life Insurance Company, dated April 7, 1977, filed April 7, 1977; HCC 806 - 807

HSC Record on appeal. HSC

HSC Court's Notice of entering case on calendar, dated April 18, 1977. HSC

HSC Certificate of Recusal by Justice Kidwell, filed May 17, 1977.

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<u>Designation . . .</u>	Page No.	<u>Designation . . .</u>	Page No.
HSC Plaintiff-Appellant pro se Janice Ching Yee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court June 16, 1977.	HSC	HSC Letter from Chief Justice Richardson, denying approval of filing for (1) "Motion for relief of order, filed Jun 29, 1977, dated June 30, 1977" (2) "Motion to Amend Opening Brief to include Additional Questions, Points of Error and Arguments for Appellant, dated July 5, 1977"; and (3) "Amendment for Plaintiff-Appellant Pro Se's Opening Brief, dated July 18, 1977; all of which was denied July 25, 1977.	HSC
HSC Appellant's letter to Hawaii Supreme Court Justices to include "Confidential" and Appendix "Tax", dated June 16, 1977.	HSC	PV(HSC) Appellant's AMENDMENT for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977, after two permission granted by Chief Justice Richardson.	
PV(HSC) "Appendix 7th" presented and not filed by clerks or court, dated June 20, 1977. XXX		PY(HSC) Appellant's Objection to Denial for filing of proper motions and amendments, presented July 29, 1977, and denied filing by the clerks and the court.	
HSC Appellant's additional appendix P.P. filed June 24, 1977.	HSC	HSC Appellees' Motion for Dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees Judge Betty Vitousek, et al and/or Judge Norito Kawakami; and/or defendants-appellees Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed August 3, 1977.	HSC
HSC Letter from Chief Justice Richardson's office, (1) denying inclusion of appendix "tax", (2) allowing amendment of opening brief and (3) denying filing of additional "Appendix 7th."	HSC	HSC Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the alternative, motion for summary judgement for Appellant Pro Se, Janice Ching Yee; memorandums of law, arguments, in support of motions, whereof exhibit V was deleted by clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.	HSC
HSC Appellant's "Amendment" of plaintiff-appellant pro se's "Opening Brief," dated June 20, 1977 and filed June 29, 1977, after court considered.	HSC	PV(HSC) Request for Entry for Default; Entry for Default; verified affidavit of plaintiff-appellant pro se; certificate of service; exhibits; was refused filing by clerk Clement Chun, also refusing to submit for consideration by the court. Notarized by Notary Philip Hirano, dated Aug. 22, 1977.	
HSC Order denying financial relief as pled in appendix P.P., filed June 29, 1977.	HSC	HSC Appellees' "MOTION TO DISMISS APPEAL", filed Sept. 6, 1977.	HSC
PV(HSC) Appellant's motion to amend opening brief to include additional questions, points or error, and arguments for appellant; memorandums and arguments; certificate of service, was refused filing by the clerk and the Court dated July 5, 1977. XXX X		HSC "APPELLANT'S MOTION TO STRIKE APPELLEES' MOTION FOR DISMISSAL, ETC., AND/CR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY*", filed September 9, 1977. (v. Alfred Alphonse Yee, et al)	HSC
PV(HSC) Appellant's "Motion for Relief of Order" filed June 29, 1977; memorandums of law and arguments; certificate of service dated June 30, 1977, was refused filing by the clerks and the court, after July 6, 1977. XXX X		PV(HSC) Appellant's "AMENDMENT FOR INADVERTENT OMISSION AND NEGLECT", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.	HSC
PV(HSC) Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. Certified receipts to Chang #915069, Kobayashi #915053, Ogata #915054, Menor #915051 and Richardson #915050, whose secretary refused to pick it up from the post office, so it was returned unopened.			
HSC Letter to the Court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to Copyright Appellant's pleadings, dated July 11, 1977.	HSC		
HSC Letter from Clerk Clement Chun, returning "fly sheet" and denying help.	HSC		

Designation...

HSC	APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.	HSC
PV (HSC)	"ADDITIONAL APPENDIX "WDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBA MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished," even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.	HSC
HSC	Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al, and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.	HSC
HSC	Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.	HSC
HSC	Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.	HSC
PV (HSC)	Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).	
HSC	NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.	HSC

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Page No

EXHIBITS

IN EVIDENCE

Plaintiff's - List filed September 27, 1973

- "1" Eight-page untitled document prepared and signed by Mrs. Janice Ching Yee.
- "2" Document dated July 21, 1973 prepared and signed by Mrs. Janice Ching Yee..
- "3" Two-page document, the first page dated August 1, 1973, prepared and signed by Janice Ching Yee, and the second, a Christmas card which includes a statement describing each of the children.

Defendant's

- "A" Document entitled "Exhibit A".
- "B" Xerox copy of U. W. Individual Income Tax Return for 1972 of Alfred A. and Janice C. Yee.
- "C" Xerox copy of Proposed settlement between Alfred A. Yee and Janice C. Yee, consisting of a folio of documents.

IN EVIDENCE

Plaintiff's - List filed September 27, 1973

- "1" Xerox copy of two-page document prepared and signed by Mrs. Yee.

Defendant's

- "A" Report from Dr. Elizabeth M. Adams to Judge Vitousek dated July 17, 1973. (CONFIDENTIAL FILE)

IN EVIDENCE

Plaintiff's - List filed July 6, 1974

- "1" Folio of documents with handwritten cover sheet headed Reimbursables, consisting of 14 sheets.
- "2" Folio of documents with cover sheet entitled Unpaid Bills with 13 statements attached.
- "3" Copy of Plaintiff's 1973 Federal and State income tax returns.
- "4" Statement submitted by plaintiff by herself dated September 12, 1973.
- "5" Statement with 5 attached sheets, signed by Mrs. Janice Ching Yee, dated April 17, 1974.

Defendant's

- "A" Document Prepared by Mr. C. Dyer headed Alfred A. Yee Statement of Assets and Liabilities June 30, 1973, revised as of (corrected dated) April 1974.
- "B" Statement from Morris, Kerr, Forster & Company, dated April 12, 1974.

PETITIONER'S VERSION: RECORD ON APPEAL OF CONSOLIDATED CASES  
IN HAWAII SUPREME COURT

Plaintiff's - IN EVIDENCE  
List filed June 2, 1975

"1" Pleading prepared by Janice Ching Yee, dated October 10, 1974 with exhibits attached.

Defendant's

"A" Report on letterhead of Harris, Kerr, Forster & Company, dated October 14, 1974 addressed to Mr. Alfred Yee. (CONFIDENTIAL FILE)

"B" Copy of two-page letter, dated September 27, 1974 directed to the employees of Alfred A. Yee & Associates. (CONFIDENTIAL FILE)

Plaintiff's - IN EVIDENCE  
List filed June 3, 1975

"1" Pleading Prepared and signed by Janice Ching Yee dated November 10, 1974 with attached exhibits A to H.

"2" Financial Statements of Alfred A. Yee and Associates Inc. and Consolidated Subsidiary June 30, 1974 from Harris, Kerr, Forster & Company, dated 8/23/74.

"3" Alfred A. Yee & Associates, Inc. Balance Sheet and Income Statement as of December 31, 1974.

Defendant's

"A" Letter dated October 17, 1974 addressed to Mr. Alfred A. Yee re Tumon View Apartment, Phase I, Academy Gardens Apartments, AAY Partnership A Warehouses and Harmon Field Warehouse Joint Venture signed by Don R. Cowell and William J. Dornbush.

"B" Appraisal Report Covering Tumon View Apartment, Phase I Tumon, Dededo, Guam, dated June 1973 by Don R. Cowell & Associates.

"C" Appraisal Report Covering Academy Gardens Apartments, Phases I and II, Mangilao, Barrigada, Guam dated June 1973 by Don R. Cowell & Associates

Defendant's

"D" Appraisal Report Covering Harmon Field Warehouse Joint Venture Property, Harmon Industrial Park, Dededo, Guam dated January 1974 by Don R. Cowell & Associates.

"E" Appraisal Report of Industrial Properties Lot 5166-1-2 and Lot 5166-3-1, Harmon Field, Dededo, Guam dated May 1973 by Don R. Cowell & Associates.

For case HSC #6529, for: YEE vs. YEE, ET AL  
YEE vs. KOKERNAK  
YEE vs. HOGAN, ET AL  
YEE vs. CHUN, ET AL  
YEE vs. NAGAHISA, ET AL  
and/or ADAMS, ET AL  
YEE vs. NICKELSEN, ET AL  
YEE vs. VITOUSEK, ET AL  
and/or KAWAKAMI  
YEE vs. KOSHIBA  
and/or THE HSBA  
YEE vs. FRANKLIN

BACKGROUND:

Appellant's "Motion to Consolidate Appeals Against Conspiracy for Prejudiced Persecution by Malicious Abuse of Judicial Process for Deprivation of Income and Legal Rights for Plaintiff-Appellant; Motion for Judgement on the Pleadings; Memorandums of Points and Authorities, Affidavit of Plaintiff-Appellant, filed Dec. 5, 1975.

\*\*\* Appellant's "Request for Entry of Default; Entry of Default; Affidavit of Plaintiff-Appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented on Dec. 16, 1975.

\*\*\* Appellant's "Motion for Judgement on the Pleadings for Plaintiff-Appellant pro se; Memorandums of Law in Support of Motion; Affidavit of Plaintiff-Appellant pro se; was refused filing by the clerks or court dated Dec. 22, 1975. Letter to the Justices for approval for filing, dated December 23, 1975 was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801.

\*\*\* Appellant's "Motion to Amend for Excusable Inadvertent Neglect," dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.

\*\*\* Appellant's notification of unfiled motions not in the Court Record. Also noted in individual records of 9 cases.

APPENDIX "tCR v. CON"

Disposition . . .

HSC Order denying motion to consolidate appeals against conspiracy, filed Jan. 12, 1976.

HSC Appellant's Objection to Order of Jan. 12, 1976, denying motion of December 5, 1975; . . . etc., filed Jan. 21, 1976.

HSC Appellant's "MOTION FOR AMENDMENT OF EXHIBITS", etc. filed Jan. 21, 1976.

HSC Order denying "Motion for Reconsideration" filed Feb. 13, 1976.

HSC Order denying "Motion for Amendment of Exhibits" filed Feb. 13, 1976.

PV(HSC) Appellant's "Objection to Orders of Feb. 13, 1976" . . . etc., denied filing by the clerks and court. Certified mail receipts to appellees: Hogan, et al, Toshiba and/or NSBA Nickelson, et al - #480968 Franklin - #480964 Kokernak - #480963 Regular mail for: Nagahisa, et al and/or Adams, et al Vitousek, et al

PV (HSC) Appellant's "MOTION FOR TEMPORARY MONETARY RELIEF"; etc., presented and refused filing by clerks, on Feb. 20, 1976. Hand delivered to Appellees; signed for by secretaries.

HSC March 19, 1976: Appellant's letter requesting a copy of transcript for March 9, 1976 Hearing.

USSC "JOINT PETITION FOR WRIT OF CERTIORARI," etc., filed April 7, 1976, in the Supreme Court of the U.S.

USSC Letter to Office of the Clerk, USSC, dated Apr. 10, 1976.

USSC Letter to Office of the Clerk, USSC, dated Apr. 15, 1976, upon mailing of "Supplement to Joint Petition".

USSC Letters from Clerk Lazowski of USSC, dated Apr. 12 and Apr. 16, 1976.

USSC Letter to Office of the Clerk, USSC, dated Apr. 17, 1976.

USSC "SUPPLEMENT TO JOINT PETITION", etc., filed April 19, 1976, in the Supreme Court of the U.S.

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Disposition . . .

USSC Letter of Denial of Petition for 75-1143, received Apr. 24, 1976. Was dated April 5, 1976.

USSC Letter to Office of the Clerk, USSC, dated Apr. 24, 1976.

USSC Letter to Office of the Clerk, USSC, dated Apr. 25, 1976.

USSC Letter from Clerk Lazowski of USSC, dated Apr. 27, 1976.

USSC Letter of Denial of "JOINT PETITION", dated June 1, 1976, for 75-1429.

USSC Letter to Office of the Clerk, USSC, dated June 6, 1976.

USSC Letter to Office of the Clerk, USSC, dated June 13, 1976.

USSC Letter from Clerk Lazowski of USSC, dated June 9, 1976

USSC Letter to Office of the Clerk, USSC, dated June 21, 1976.

USSC "JOINT PETITION FOR REHEARING FOR JOINT PETITION", etc., filed June 24, 1976, in the U.S.S.C.

USSC Letter to Office of the Clerk, USSC, dated Sept. 8, 1976.

USSC Letter to Office of the Clerk, USSC, dated Sept. 23, 1976, upon mailing of Supplemental Appendix for Joint Petition for Rehearing". etc.

USSC "SUPPLEMENTAL APPENDIX FOR JOINT PETITION FOR REHEARING", filed October 1, 1976

USSC Letter of Denial of "JOINT PETITION FOR REHEARING", dated October 4, 1976.

USSC Letter to Justices of U.S.C, dated Oct. 15, 1976; AND, Office of the Clerk, upon sending "Motion for Relief from Judgment or Order".

USSC "MOTION FOR RELIEF FROM JUDGMENT OR ORDER OF OCTOBER 4, 1976, FOR JOINT PETITION FOR REHEARING FOR JOINT PETITION FOR WRIT OF CERTIORARI", was "Received" on Oct. 18, 1976; and "Received" again Nov. 1, 1976, who denied filing, for it couldn't be considered.

USSC Letter from Clerk Rodak of USSC, dated Oct. 20, 1976.

"CON" - p. 3

USSC Letter to Office of the Clerk, USSC, dated Oct. 22, 1976.  
 USSC Letter to the Justices of USSC, dated Oct. 29, 1976.  
 USSC Letter from the Clerk Lorson of USSC, dated Oct. 28, 1976.  
 USSC Letter from Clerk Lorson of USSC, dated Nov. 5, 1976.  
 USSC Letter to Office of the Clerk, USSC, dated Nov. 17, 1976.  
 USSC Letter from the Clerk Lorson of USSC, dated Nov. 23, 1976.  
 USSC Last letter on the subject of the "JOINT PETITION FOR WRIT OF CEPTIORARI", filed April 7, 1976; dated December 10, 1976; no possibility of relief at this time.

PETITIONER'S VERSION: RECORD ON APPEAL IN HAWAII CIRCUIT COURT FOR CASES:

#44240  
#44869  
#44245  
#44263  
#45123  
#44244  
#44262  
#44578

HCC Plaintiff Pro Se's Motion to Reopen and Consolidate Cases Titled, according to HRS, Chapter 657-20; Memorandums of Law, Arguments, and Exhibits, in support of Motion; More comprehensive affidavit filed in Hawaii Supreme Court; Certificate of Service, filed Feb. 14, 1977.

HCC Stipulation for Motion to Reopen and Consolidate Cases Titled, according to Hawaii Revised Statutes, Chapter 657-20, filed February 14, 1977, filed Feb. 18, 1977.

HCC Plaintiff Pro Se's Additional Memorandums of Law in Support of "Motion to Reopen and Consolidate Cases Titled," . . . etc. filed Feb. 14, 1977"; filed Feb. 24, 1977.

"CON" - p.4

Designation... .

<b>PV</b> <b>PV</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HCC</b> <b>HSC</b>	Letter from Attorney Wm. C. McCorriston for defendant Edward Y. C. Chun, et al re: Civil 44245 of Consolidation to Plaintiff pro se, dated Feb. 16, 1977. Letter from Attorney Wm. L. Fleming for Hogan, et al, Civ. 44240, Nickelsen, et al, Civ. 44244, and Koshiba and/or the HSBA, Civ. 44262 re: Stipulation to Plaintiff, pro se. Hearing March 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong. Request for transcript of hearing of Mar. 1, 1977. Order denying "Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20," filed Mar. 7, 1977. Notice of appeal and designation of record, filed Mar. 7, 1977; certificate of service. Appellant's "Supplemental notice of appeal, nunc pro tunc" March 14, 1977; filed July 5, 1977, in Hawaii Circuit Court. "Appeal" filed earlier in Hawaii Family Court, March 14, 1977, ("Case" p. 741-742) not considered, for "Dismissal", filed March 9, 1977. ("Case" p. 740) PETITIONER'S VERSION: RECORD ON APPEAL IN HAWAII SUPREME COURT for Case HSC #6529; for: YEE vs. YEE, ET AL YEE vs. KOKERNAK YEE vs. HOGAN, ET AL YEE vs. CHUN, ET AL YEE vs. NAGAHISA, ET AL AND/OR ADAMS, ET AL YEE vs. NICKELSEN, ET AL YEE vs. VITOUSEK, ET AL AND/OR KAWAKAMI YEE vs. KOSHIBA AND/OR THE HSBA YEE vs. FRANKLIN Record on appeal. Court's Notice of entering case on calendar, dated April 18, 1977. Certificate of Recusal by Justice Kidwell, filed May 17, 1977.
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Designation ...

- HSC Letter to the Court requesting not scheduling anything during May 30 to June 10, 1977. (Appellant)
- HSC Plaintiff-Appellant Pro Se Janice Ching Yee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court June 16, 1977.
- HSC Appellant's letter to Hawaii Supreme Court Justices to include "Confidential" and Appendix "Tax", dated June 16, 1977.
- PV(HSC) "Appendix 7th" presented and not filed by clerks or court, dated June 20, 1977.  
Xxx
- HSC Appellant's additional appendix P.P. filed June 24, 1977.
- HSC Letter from Chief Justice Richardson's office, (1) denying inclusion of appendix "tax", (2) allowing amendment of opening brief and (3) denying filing of additional "Appendix 7th."
- HSC Appellant's "Amendment" of plaintiff-appellant pro se's "Opening Brief," dated June 20, 1977 and filed June 29, 1977, after court considered.
- Order denying financial relief as pled in appendix P.P., filed June 29, 1977.
- PV(HSC) "MOTION FOR RELIEF OF ORDER FILED JUNE 29, 1977", dated June 30, 1977, refused filing by the clerks and/or Court. Letter of July 6, 1977 to Justices for Approval was ignored. All Appellees received copies on June 30, 1977, signed for or noted "accepted" by those refusing to sign.  
Xxx  
X
- PV(HSC) Appellant's motion to amend opening brief to include additional questions, points or error, and arguments for appellant; memorandums and arguments; certificate of service, was refused filing by the clerk and the Court dated July 5, 1977.  
Xxx  
X
- PV(HSC) Appellant's "Motion for Relief of Order" filed June 29, 1977; memorandums of law and arguments; certificate of service dated June 30, 1977, was refused filing by the clerks and the court, after July 6, 1977.

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Disposition ...

- PV(HSC) Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. Certified receipts to Chang #915069, Kobayashi 915053, Ogata 915054, Menor 915051 and Richardson #915050, whose secretary refused to pick it up from the post office, so it was returned unopened.  
Xxx  
X
- HSC Letter to the Court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to Copyright Appellant's pleadings, dated July 11, 1977.
- HSC Letter from Clerk Clement Chun, returning "fly sheet" and denying help.
- PV(HSC) Appellant's Amendment for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977, after two permission granted by Chief Justice Richardson.  
Xxx  
X
- HSC Letter from Chief Justice Richardson, denying approval of filing for (1) "Motion for relief of order, filed Jun 29, 1977, dated June 30, 1977" (2) "Motion to Amend Opening Brief to include Additional Questions, Points of Error and Arguments for Appellant, dated July 5, 1977"; and (3) "Amendment for Plaintiff-Appellant Pro Se's Opening Brief" dated July 18, 1977; all of which was denied July 25, 1977.
- PV(HSC) Appellant's "Objection to Denial" for filing of proper motions and amendments, presented July 29, 1977, and denied filing by the clerks and the court.  
Yyy  
Y
- HSC Appellees' Motion for Dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees Judge Betty Vitousek, et al and/or Judge Norito Kawakami; and/or defendants-appellees Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed August 3, 1977.
- HSC "Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the alternative, motion for summary judgement for Appellant Pro Se, Janice Ching Yee; memorandums of law, arguments, in support of motions, whereof exhibit V was deleted by clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.

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Designation . . .

- HSC Appellees attorney Edward Delappe Boyle for Robert G. Hogan, et al, Harold Nickelsen, et al; and James E. Koshiba and/or the HSBA, motioned for "Motion for dismissal; memorandum in support of motion; and certificate of service, filed Aug. 16, 1977, day after answering brief was due.
- pv(HSC) Request for Entry for Default; Entry for Default; verified affidavit of plaintiff-appellant pro se; certificate of service; exhibits; was refused filing by clerk Clement Chun, also refusing to submit for consideration by the court. Notarized by Notary Philip Hirano, dated Aug. 22, 1977.
- HSC APPELLANT'S MOTION TO STRIKE APPELLEE'S MOTION FOR DISMISSAL; AND/OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY\*\*, filed August 22, 1977.
- HSC APPELLEES' "MOTION TO DISMISS OR STRIKE APPEAL," by Attorney McCroriston for Edward Y.C. Chun, et al, Appellees, filed August 29, 1977.
- HSC Court's Letter to Attorney Kanetake, of Defendant Appellee Stephanie Kokernak's Default; dated August 22, 1977.
- HSC Court's Letter to Attorney McCroriston, of Defendants-Appellees Edward Y.C. Chun's Default; dated August 22, 1977.
- HSC Court's Letter to Attorney Garcia of Defendant-Appellee Robert A. Franklin's Default; dated August 22, 1977.
- HSC "APPELLANT'S MOTION TO STRIKE APPELLEES' ILLEGAL MOTION FOR DISMISSAL; AND/OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY\*\*", dated Saturday Sept. 3, 1977, Labor Day weekend; filed September 6, 1977, Monday. (v. Chun, et al)
- HSC Appellees' "MOTION TO DISMISS APPEAL", filed Sept. 6, 1977.
- HSC "AMENDMENT OF APPELLANT'S MOTION TO STRIKE APPELLEES' ILLEGAL MOTION", filed Sept. 7, 1977. (v. Chun, et al)
- HSC "APPELLANT'S MOTION TO STRIKE APPELLEES' MOTION FOR DISMISSAL, ETC., AND/OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY\*\*", filed September 9, 1977. (v. Alfred Alphonse Yee, et al)

Designation . . .

- pv(HSC) Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND NEGLECT", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.
- Xxx HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.
- pv(HSC) "ADDITIONAL APPENDIX "WDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THRCUG: NEGLIGENCE BY HSBA+ MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished;" even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al, and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.
- pv(HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCroriston (#561745).
- HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.

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Designation of Contents of Record on Appeal

HAWAII CIRCUIT COURT  
Civil No. 44869 - Yee v. Kokernak

	Page No.
1. Complaints; Memorandums and Exhibits in Support of Complaints; Affidavit of Plaintiff; Summons, filed April 23, 1975;	1 - 12
2. Return of Service, filed April 28, 1975;	13
3. Answer to Complaint, filed May 14, 1975;	14 - 15
4. Motion to Dismiss and Alternative Motion for Summary Judgment; Memorandum in Support of Motion; Affidavit of Stephanie Kokernak; and Notice of Motion, filed May 16, 1975	16 - 25
5. Memorandum in Opposition to Motion to Dismiss and in the Alternative Motion for Summary Judgment, etc.; or in the Alternative Motion for Declaratory Judgment or Summary Judgment for Plaintiff; Affidavit of Plaintiff, filed May 28, 1975;	26 - 35
6. Return of Service, filed June 4, 1975;	36
7. Notice of Appeal; Designation of Record on Appeal, filed June 4, 1975;	37 - 38
8. Request for Transcript of Proceedings for Record on Appeal, filed June 4, 1975;	39
9. Letter from Stanley T. Kanetake to The Honorable Norito Kawakami, dated June 20, 1975, filed June 30, 1975;	40
10. Order Granting Motion to Dismiss, filed June 30, 1975;	41
11. Notice of Entry of Order, filed June 30, 1975;	42
12. Record on Appeal, filed in Supreme Court July 11, 1975, received July 14, 1975;	43 - 46
<u>HSC</u> Sept. 9, 1975 - Plaintiff-Appellants opening brief	HSC - 6- 53
Oct. 1, 1975 - Certificate of recusal (H. B. Kidwell)	HSC 54- 55
Oct. 20, 1975 - Motion to amend opening brief for excusable error or neglect	HSC 56- 58
Nov. 7, 1975 - Motion for order enlarging time to file appellee's answering brief	HSC 59- 61
Nov. 7, 1975 - Certificate of service	HSC 62- 63

APPENDIX "tCR v. SK"

	Page No.
Nov. 14, 1975 - Assignment of substitute justice (Chang for Kidwell)	HSC 64
Nov. 17, 1975 - Order (motion to amend opening brief - granted)	HSC 65- 66
Nov. 25, 1975 - Motion to amend pleadings for inadvertent neglect	HSC 67- 68
Dec. 1, 1975 - Answering brief of defendant-appellee	HSC 69- 83
Dec. 5, 1975 - Motion to consolidate appeals..	HSC 84- 100
Dec. 8, 1975 - Reply brief of plaintiff-appellant	HSC 101-109
<u>PV</u> Appellee's answering brief filed Dec. 19, 1975	
<del>X</del> <sup>✓</sup> Appellant's request for entry of default; entry of default; affidavit of plaintiff appellant pro se, was not accepted for filing by the clerks who said the HSC does not consider defaults, presented Dec. 16, 1975.	
<del>X</del> <sup>✓</sup> Appellant's motion for judgement on the pleadings for plaintiff-appellant pro se; memorandums of law in support of motion; affidavit of plaintiff-appellant pro se, refused filing by the clerks or court dated Dec. 22, 1975. Letter to the court for approval for filing, dated Dec. 23, 1975 ignored. Certified receipt No. 460800 to appellees.	
A/PV <del>✓</del> <sup>✓</sup> Appellant's "Motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleading on Jan. 7, 1976.	
<u>HSC</u> Jan. 12, 1976 - Order granting motion to amend pleadings	HSC 110-111
Jan. 12, 1976 - Order denying motion to consolidate appeals	HSC 112-113
Jan. 21, 1976 - Objection to order of Jan. 12, 1976, etc...	HSC 114-120
Jan. 21, 1976 - Motion for amendment of exhibits, etc.	HSC 121-130
Jan. 22, 1976 - Exhibit "A" for "Motion for Amendment" filed Jan. 21, 1976	HSC 131-133
<u>A/PV</u> -Order denying "motion for reconsideration" filed Feb. 13, 1976	
Order denying "Motion for amendment of exhibits" filed Feb. 13, 1976	

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
* Appellant's objection to orders of Feb. 13, 1976, etc., denied filing by the clerks and court. Certified mail receipts to appellees: Kokernak - #480963.	
HSC Feb. 26, 1976 - Motion to dismiss or to affirm judgement, etc.	HSC 134-138
Mar. 2, 1976 - Notice of setting case for argument	HSC 139
PV Appellant's objection to motion to dismiss or affirm judgement; and/or motion to strike motion to dismiss or a firm judgement; and/or motion to grant amendment of opening brief; memorandums and arguments in support of motions; affidavit of plaintiff appellant, filed March 4, 1976.	
Notice of hearing on Mar. 9, 1976 at 9 a.m., filed Mar. 2, 1976.	
Appellant's letter acknowledging receipt of notice dated Mar. 4, 1976.	
HSC Mar. 13, 1976 - Order denying motion for amendment of exhibits for restitution	HSC 139-140
Mar. 13, 1976 - Order denying motion for reconsideration	HSC 141-142
Mar. 1, 1976 - Notice of setting case for argument	HSC 143
Mar. 4, 1976 - Objection to motion to dismiss or affirm judgement, etc.	HSC 144-151
Mar. 4, 1976 - Receipt for motion of setting case for argument	HSC 152-156
Mar. 5, 1976 - Receipt for notice of setting case for argument	HSC 157
Hearing in HSC Mar. 9, 1976 at 9. a.m.	
Mar. 19, 1976 - Letter dtd. 3/19/76 from H. C. Yee re: copy of transcript	HSC 158
PV Order dismissing appeal and affirming the lower trial courts judgement, filed April 1, 1976.	
HSC Apr. 1, 1976 - Letter dated 4/1/76 from deputy clerk re: transcript	HSC 159
Apr. 1, 1976 - order denying appellant's motions.	
Apr. 1, 1976 - Order granting appellee's motion to dismiss	HSC 160-161
Apr. 2, 1976 - Receipt of copy of order (Motion to dismiss granted)	

<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
13. Order, filed in Supreme Court, Apr. 1, 1976, received Apr. 2, 1976 v45C PG717/8N, filed Apr. 7, 1976. Denied REHEARING, Oct. 4, 1976	USSC
PV Appellant's amendment of complaint, filed Apr. 11, 1976.	
HSC Apr. 30, 1976 - Receipt for exhibits, etc. returned to First Circuit Court	HSC 163-
PV Letter to the court notifying of a week's vacation, dated May 3, 1976.	
14. Receipt for Exhibits, etc., returned to First Circuit Court, filed May 3, 1976.	49 - 51
15. Motion to reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20; Memorandums of Law, Arguments, and Exhibits, in support of motion; more comprehensive affidavit filed in Hawaii Supreme Court, filed February 14, 1977.	52 - 120
16. Stipulation for Motion to reopen and consolidate cases titled, according to Hawaii Revised Statutes, Chapter 657-20; filed Feb. 14, 1977; approved and order for stipulated cases, filed Feb. 18, 1977.	121 - 122
17. Notice of Motion, filed Feb. 18, 1977	123
18. Additional memorandums of law in support of "Motion to reopen and consolidate cases titled...etc. Filed Feb. 14, 1977, filed Feb. 24, 1977	124 - 125
A/PV Hearing Mar. 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong	
Request for transcript of hearing of Mar. 1, 1977	
19. Order denying motion to reopen and consolidate cases titled, according to HRS, Chapter 657-20, filed Mar. 7, 1977	126 - 127
20. Notice of Appeal; designation of record on appeal, filed Mar. 7, 1977	128 - 130
21. Request for Transcript of proceedings for record on appeal, filed Mar. 7, 1977	131
22. Certificate of service, filed Mar. 7, 1977	132
23. Amended request for transcript of proceedings for record on appeal, filed Apr. 5, 1977	133
24. Amendment of Complaints, filed Apr. 23, 1975, filed Apr. 11, 1977	134 - 135
A/PV Appellant's "supplemental notice of appeal, nunc pro tunc" Mar. 14, 1977, filed July 5, 1977	

Designation of Contents of Record on AppealPage No.A/PV Record on appeal

HSC

Court's notice of entering case on calendar, dated Apr. 18, 1977

HSC

Plaintiff-appellant pro se Janice Ching Yee's opening brief for "appeal to reopen and consolidate cases titled", filed in Hawaii Supreme Court, June 16, 1977.

HSC

Appellant's letter to Hawaii Supreme Court Justices to include "confidential" appendix "tax" dated June 16, 1977.

HSC

A/PV Appendix x 7th presented and not filed by clerks or court, dated June 20.

Appellant's additional appendix P.P. filed June 24, 1977.

(1)  
6) letter from chief justice richardson's office denying inclusion of appendix "tax"(2) allowing amendment of opening brief and (3) denying filing of additional appendix 7th.7) Appellant's amendment of plaintiff appellant pro se's opening brief, filed June 29, 1977, dated June 20, 1977.  
*after amendment by court*8) Order denying ~~plaintiff~~ financial relief as pled in appendix p.p., filed June 29, 1977.~~x~~ 9) Appellant's Motion to Amend Opening Brief to Include Additional Questions, Points of Error, and Arguments for Appellant; memorandums & arguments; certificate of service, was refused filing by the clerk and the court, dated July 5, 1977.10) Appellant's motion for relief of order filed June 29, 1977 dated ~~June 29, 1977~~ memorandum of law and arguments; certificate of service, filed June 30, 1977 was refused filing by the clerks and the court. *denied filing*

11) Letter to the justices notifying of unfiled motions and letters for approval of filing of unfiled motion, dated July 7, 1977. certified receipts to Chang #915069 Kobayashi 915053, Ogata 915054, Menor 915051 and Richardson #915050, who secretary refused to pick it up from the post office, so it was returned unopened.

12) Letter to the court and/or the attorneys of appellees, about appellant's permission to save appellant's good intention to copyright appellant's pleadings, dated July 11,

13) Letter from clerk Clement Chun, returning "fly sheet" and denying help.

~~x~~ 14) Appellant's Amendment for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977.Designation of Contents of Record on AppealPage No.

15) Letter from chief justice richardson denying approval of filing for "motion for relief of order, filed June 29 1977, dated June 30, 1977" (2)"motion to amend opening brief to include additional questions, points of error and arguments for appellant, dated July 5, 1977"; and (3) "amendment for plaintiff appellant pro se's opening brief, dated July 16, 1977; all of which was filed July 25, 1977.

~~x~~  
~~x~~  
PV Appellant's objection to denial for filing of proper motions and amendments, presented July 29, 1977, and denied filing by the clerks and the court.

Appellees' motion for dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees for Judge Betty Vitousek, et al and/or Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed Aug. 3, 1977.

Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the Alternative, Motion for Summary Judgement for Appellant Pro Se JCY; Memorandums of Law, Arguments in Support of Motions; whereof exhibit was deleted by Clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.

~~x~~  
Request for entry for default; entry for default; verified affidavit of plaintiff appellant pro se; certificate of service; exhibits, was refused filing by Clerk Clement Chun, also refusing to submit for consideration by the court. Notarized by Notary Philip Hirano, dated Aug. 22, 1977.

HSC Court's Letter to Attorney Kanetake, of Defendant Appellee Stephanie Kokernak's Default; dated August 22, 1977.

HSC Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND NEGLECT", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.

HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.

HSC "ADDITIONAL APPENDIX "WDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBA MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished," even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.

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## DESIGNATION . . .

Page No.

- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m.  
Rec: Nov. 18, 1977, afternoon by Appellant, against  
Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al,  
and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al;  
Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31  
a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against  
Appellees: Kokernak; &/or Franklin.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44  
a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against  
Appellees A.A. Yee, et al.
- HSC Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17,  
1977", dated Nov. 21, 1977, was denied filing by the  
clerks; so a letter dated Nov. 21, 1977 was left for  
the Justices, for Approval for filing, which was ignored.  
Copies signed for by secretaries of Attorneys Garcia,  
Kanetake, Chun, and Chang &/or Amemiya. Certified mail  
receipts to Fleming (#561746) and McCorriston (#561745).
- HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED  
STATES, Certificate of Service, filed Nov. 31, 1977,  
at 9:44 a.m.

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## DESIGNATION OF CONTENTS OF RECORD ON APPEAL

PAGE NO.

## HAWAII CIRCUIT COURT

Civil No. 44240 - Yee v. Hogan, et al

- No. 1. Complaint; Summons, filed February 7, 1975; 1 - 56
2. Return of Service, filed February 11, 1975; 57
3. Letter from Robert G. Hogan to Honorable Judge Kato, dated February 23, 1975, filed February 24, 1975; 58 - 59
4. Order Extending Time Within Which to Answer, Move or Otherwise Plead, filed February 24, 1975; 60
5. Letter from Robert G. Hogan to Mrs. Janice Ching Yee dated February 24, 1975, filed February 26, 1975; 61
6. Motion to Dismiss and Alternative Motion to Strike, Memorandum in Support of Motions and Notice of Motion, filed March 27 27, 1975; 62 - 70
7. Amended Complaint; Motion to Strike Defendants' Motion to Dismiss; Motion for Summary Judgment; Memorandum in Support of Motions; Affidavit of Plaintiff; Notice of Motion, filed March 31, 1975; 71 - 80
8. Return of Service, filed April 2, 1975; 81
9. Motion for Summary Judgment, filed April 7, 1975; 82
10. Motion to Dismiss Amended Complaint, Return to Motion for Summary Judgment, Exhibit A, Memorandum in Support of Motion and Return to Motion for Summary Judgment and Notice of Motion, filed April 9, 1975; 83 - 94
11. Opposition to Defendants' Motion to Dismiss; Exhibits and Memorandums to Support Response and Opposition; Affidavit of Plaintiff, filed April 15, 1975; 95 - 106
12. Return of Service, filed April 16, 1975; 107
13. Memo from William L. Fleming to The Honorable Norito Kawahami, dated May 5, 1975, Filed May 7, 1975; 108 - 109

APPENDIX "tCR v. RGH"

<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HSC 14. Order Dismissing Amended Complaint, filed May 7, 1975;	110		
15. Motion to Strike Order Dismissing Amended Complaint; Motion to Amend Complaint for Summary Judgment; Memorandums Exhibits, and Arguments; Affidavit of Plaintiff; Notice of Motion, filed May 7, 1975;	111 - 127		
16. Return of Service, filed May 8, 1975;	128		
17. Motion to Amend Motion to Strike Order Dismissing Amended Complaint; Exhibit Supporting Motion; Affidavit of Plaintiff; Notice of Motion, filed June 9, 1975;	129 - 135		
18. Return of Service, filed June 10, 1975;	136		
19. Judgment, filed June 16, 1975;	137		
20. Notice of Entry of Judgment, filed June 16, 1975;	138		
21. Notice of Appeal; Designation of Record on Appeal, filed June 7, 1975;	139 - 140		
22. Request for Transcript of Proceedings for Record on Appeal, filed July 7, 1975;	141		
23. Record on Appeal, filed in Supreme Court August 12, 1975, received August 12, 1975;	142 - 147		
<b>HAWAII SUPREME COURT (HSC) (hereafter applicable)</b>			
August 12, 1975 - Notice of entering case on calendar	HSC 7		
Sept. 29, 1975 - Plaintiff-Appellant's Opening Brief	HSC 8-127		
HSC Oct. 1, 1975 - Certificate of Recusal (H. B. KIDWELL)	HSC 128-129		
Oct. 20, 1975 - Motion to amend opening brief for Plaintiff-Appellant	HSC 130-133		
Nov. 14, 1975 - Assignment of Substitute Justice (Change from Kidwell)	HSC 134		
Nov. 17, 1975 - (Motion to amend opening brief - granted) Ex Parte motion extending time to file answering brief	HSC 135-136		
Nov. 19, 1975 - (Dec. 17, 1975)	HSC 137-141		
Nov. 26, 1975 - Motion to amend pleadings for inadvertent neglect	HSC 142-143		
Dec. 5, 1975 - Motion to consolidate . . .	HSC 144-160		
<u>Appellant's Notification/Petitioner's Version (PV): (of unfiled motions not in the Court Record) - Noted in individual records of 9 cases</u>			
PV(HSC)			
" Appellant's "Request for Entry of Default . . . Affidavit of Plaintiff Appellant pro se; not accepted for filing by clerks who said HSC does not consider defaults, presented on Dec. 16, 1975			
HSC December 17, 1975. Motion to dismiss ...		HSC 161-169	
<u>Petitioner's Version (PV):</u>			
Appellant's "motion for judgement on the pleadings for plaintiff-appellant pro se; memorandums of law in support of motion; affidavit of plaintiff-appellant prose - refused filing on Dec. 22, 1975. Letter, dated Dec. 23, 1975 to justices for approval for filing was ignored. Certified receipt No. 460797 to Appellees.			
HSC Dec. 23, 1975 - Object to motion to dismiss . . .		HSC 170-178	
PV " Appellant's "Motion to amend for excusable inadvertent neglect," dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.		(HSC)	
HSC Jan. 12, 1976 - Order granting motion to amend pleadings		HSC 179-180	
Jan. 12, 1976 - Order denying motion to consolidate appeals		HSC 181-182	
Jan. 21, 1976 - Objection to order of Jan. 12, 1976, etc.		HSC 183-188	
Jan. 21, 1976 - Motion for amendment of exhibits, etc.		HSC 189-198	
Jan. 22, 1976 - Exhibit "A" for "Motion for Amendment" filed Jan. 21, 1976		HSC 199-201	
Feb. 13 - Order denying motion for amendment of exhibits (Feb. 13, 1976)		HSC 202-203	
- Feb. 13 - Order denying motion for Reconsideration (Feb. 13, 1976)		HSC 204-205	
PV " Appellant's "Objection to orders of Feb. 13, 1976" etc., denied filing by the clerks and court. Certified mail receipts to appellee: #480968		(HSC)	

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HSC Mar. 2, 1976 - Notice of setting case for argument	HSC 206	HSC 28. Notice of Motion, filed Feb. 18, 1977	226
Mar. 4, 1976 - Receipt for notice of setting case for argument (Yee)	HSC 207-211	HSC 29. Additional Memorandums of Law in support of "Motion to reopen and consolidate cases titled,"..etc., filed Feb. 14, 1977	227 - 228
Mar. 5, 1976 - Receipt for notice of setting case for argument (Defendants)	HSC 212	PV Letter from attorney Wm. L. Fleming re: stipulation to plaintiff pro se.	(H44)
Mar. 10, 1976 - Letter dtd 3/19/76 from J. C. Yee Re: Copy of Transcript	HSC 213	Hcc Hearing Mar. 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong	Hcc
PV - Appellant's "Amendment of Opening Brief" was refused filing by the court, dated March 23, 1976, whereof it was pertinent, notifying any member of HSBA to sign affidavits of non-involvement if not involved, certified mail receipt #834047 to Defendants		Hcc Request for transcript of hearing of Mar. 1, 1977.	Hcc
HSC Apr. 1, 1976 - Letter dtd 4/1/76 from Deputy Clerk re: Copy of transcript	HSC 214	Hcc 30. Order denying motion to reopen and consolidate cases titled, according to HRS, Chapter 657-20; filed Mar. 7, 1977	229 - 230
Hcc 24. Order, filed in Supreme Court Apr. 1, 1976, received Apr. 2, 1976	148 - 149	Hcc 31. Notice of Appeal; designation of record on appeal, filed Mar. 7, 1977	231 - 233
HSC Apr. 1, 1976 - Order granting appellees' motion to dismiss appeal	HSC 215-216	Hcc 32. Request for transcript of proceedings for Record on Appeal, filed Mar. 7, 1977	234
Apr. 2, 1976 - Receipt of order (Motion to dismiss granted)	HSC 217	Hcc 33. Certificate of service, filed Mar. 7, 1977	235
USSC - Pleadings in United States Supreme Court. Denied.	USSC	Hcc 34. Amended request for transcript of proceedings for record on appeal, filed Apr. 5, 1977	236
A Joint Petition for "Writ of Certiorari," filed Apr. 7, 1976, ETC. ETC, Denied "REHEARING. Oct. 4, 1976. Last letter on subject Dec. 10, 1976.	USSC	Hcc 35. Amendment of Complaint, filed Feb. 7, 1975, filed Apr. 11, 1977	237 - 238
Hsc Apr. 19, 1976 - Receipt for exhibits, ETC. returned this date	HSC 218-222	HSC Apr. 18, 1977 - Record on appeal	HSC 1- 40
Hcc 25. Receipt for exhibits, etc. Returned to First Circuit Court, filed Apr. 20, 1976	150 - 154	Hsc Apr. 18, 1977 - Notice of entering case on calendar	HSC 41
PV(Hsc) Appellants letter to court notifying of a week's vacation, dated May 3, 1976		Hsc Apr. 26, 1977 - Supplemental record on appeal	HSC 42- 50
Hcc 26. Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20; Memorandum of Law, Arguments, and Exhibits, in support of motion; more comprehensive affidavit filed in Hawaii Supreme Court, filed Feb. 14, 1977.	155 - 223	Hsc May 17, 1977 - Certificate of recusal (H. B. Kidwell)	HSC 51- 52
Hcc 27. Stipulation for Motion to Reopen and Consolidate Cases Titled, according to Hawaii Revised Statutes, Chapter 657-20, filed Feb. 14, 1977, approved and ordered for stipulated cases, filed Feb. 18, 1977	224 - 225	Hsc May 25, 1977 - Supplemental record on appeal	HSC 53- 62
"RGH" - p.4		Hsc May 27, 1977 - Letter from J. C. Yee re: Schedule of case	HSC 63- 64
		Hsc June 16, 1977 - Plaintiff-Appellant pro se's opening brief	HSC 65-270
		Hsc June 24, 1977 - Additional Appendix "P.P."	HSC 271-275
		Hsc June 29, 1977 - Letter to J. C. Yee from C.J. re: 1) Tax return 2) Amendment of opening brief (3) Additional appendix	HSC 276
		Hsc June 29, 1977 - Request for relief as stated in appendix P.P.	HSC 277-278
		Hsc June 29, 1977 - Amendment of plaintiff-appellant pro se's opening brief	HSC 279-282

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Designation of Contents of Record on Appeal

HSC Order denying financial relief as pled  
in Appendix P.P., filed June 29, 1977

PV(HSC) Appellant's motion to amend opening brief  
to include additional questions, points or  
error, and arguments for appellant; memo-  
randums and arguments, certificate of ser-  
vice, was refused filing by the clerk and  
the court dated July 5, 1977.

HSC Appellant's "Supplemental notice of appeal,  
nunc pro tunc Mar. 14, 1977, filed July 5, 1977.

PV(HSC) Appellant's "Motion for Relief of Order filed  
June 29, 1977; memorandums of law and arguments;  
certificate of service, dated June 30, 1977 was  
refused filing by the clerks and the court.

PV(HSC) Letter to the justices notifying of unfiled  
motions and letters for approval of filing of  
unfiled motions dated July 7, 1977. Certi-  
fied receipts to Change #915069k Kobayashi  
915053, Ogata 915054, Menor 915051 and Richardson  
#915050k whose secretary refused to pick it up  
from the post office, so it was returned unopened.

HSC Letter to the court and/or the attorneys of  
appellees, about appellant's permission to  
save appellant's good intention to copyright  
appellant's pleadings, dated July 11.

HSC Letter from clerk, Clement Chun, returning fly  
sheet and denying help.

PV(HSC) Appellant's amendment for plaintiff-appellant  
pro se's opening brief; certificate of service  
attached for legal replacement of cover of open-  
ing brief, dated July 18, 1977, was refused  
filing by the clerks and the court on July 29, 1977.

HSC Letter from Chief Justice Richardson denying  
approval of filing for (1) motion for relief of  
order, filed June 29, 1977, dated June 30, 1977,  
(2) "motion to amend opening brief to include  
additional questions, points of error and argu-  
ments for appellant, dated July 5, 1977"; and  
(3) "amendment for plaintiff appellant pro se's  
opening brief, dated July 18, 1977; all of which  
was filed July 25, 1977.

PV(HSC) Objection to Denial for Filing of Proper Motions  
and Amendments; presented July 29, 1977, and  
denied filing by the clerks and the court.

## Page No.

HSCHSCHSCHSCHSC**"RGH" - p.6**Designation of Contents of Record on Appeal

## Page No.

HSC July 25, 1977 - Letter dated July 25, 1977  
from Chief Justice to Mrs. Janice Yee re  
documents not accepted for filing by  
clerk's office

HSC 376A

HSC Aug. 3, 1977 - Motion for dismissal and  
certificate of service

HSC 282-295

HSC Aug. 8, 1977 - Motion to strike motion  
for dismissal by appellees and/or in the  
alternative motion for summary judgement  
for appellant.

HSC 296-304

HSC Appellees attorney Edward Delapape Boyle  
motioned for "motion for dismissal; memorandum  
in support of motion, and certificate of service"  
filed Aug. 16, 1977, day after answering brief  
was due. ~~&~~ Appellant's note.

HSC Aug. 16, 1977 - Motion for dismissal (by  
William Fleming)

HSC 305-325

Aug. 22, 1977 - Letter to Mr. Kanetake  
re: Brief in default

HSC 326

Aug. 22, 1977 - Letter to Mr. Wm. C.  
McCorriston re: Brief in default

HSC 327

Aug. 22, 1977 - Letter to Mr. Garcia re:  
Brief in default

HSC 328

Aug. 22, 1977 - Appellant's motion to strike  
appellee's motion for dismissal; and/or in  
the alternative, motion for summary judgment  
for appellant and certificate of service

HSC 329-376

Aug. 29, 1977 - Motion to dismiss or strike  
appeal, memorandum of points and authorities  
and certificate of service (by W. McCorriston) HSC 377-393

....Volume II, HSC

Aug. 31, 1977 - Amended record on Appeal

HSC 394-434

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HSC Sept. 6, 1977 - Appellant's motion to strike appellees' illegal motion for dismissal; and/or in the alternative motion for summary judgment for appellant pro se, JCY*, memorandums of law, arguments, and exhibits in support of motions, certificate of service.	HSC 435-457	HCC 1. Complaints; Summons, filed February 10, 1975;	1 - 5
Sept. 6, 1977 - Motion to dismiss appeal	HSC 458-472	2. Return of Service, filed February 14, 1975;	6
Sept. 7, 1977 - Amendment of appellant's motion to strike appellee's illegal motion, certificate of service	HSC 473-475	3. Motion to Dismiss or Strike Complaint, Memorandum of Points and Authorities, and Notice of Motion, filed March 3, 1975;	7 - 12
HSC Sept. 9, 1977 - Appellant's motion to strike appellees' motion to strike appellees' motion for dismissal, etc., and/or judgment for summary judgement for appellant pro se JCY . . .	HSC 476-487	4. Motion for Summary Judgment; Amended Complaint and/or Responsive Complaint, filed March 5, 1975;	13 - 15
Oct. 4, 1977 - Motion for advancement of case HSC 6529 on court calendar	HSC 488-492	5. Notice of Motion, filed March 7, 1975;	16 - 17
Nov. 7, 1977 - Assignment of substitute justice (Chang for Kidwell)	493	6. Return of Service, filed March 10, 1975;	18
Nov. 17, 1977 - Order dismissing appeal (re: Filed motions to dismiss) Civil	HSC 494-497	7. Return of Service, filed March 11, 1975;	19
Nov. 17, 1977 - Order dismissing appeal (re: Civil unfiled motions to dismiss)	HSC 498-500	8. Motion for Reconsideration of Court's Ruling; Memorandum in Support of Motion; Affidavit of Plaintiff; Notice of Motion, filed March 27, 1975;	20 - 27
Nov. 17, 1977 - Order dismissing appeal (re: FC-D case)	HSC 501-502	9. Opposition to Plaintiff's Motion for Reconsideration, filed April 2, 1975;	29 - 30
Nov. 17, 1977 - Receipt for orders dismissing appeal (three)	HSC 503	10. Return of Service, filed April 2, 1975;	31
Nov. 29, 1977 - Receipt for exhibits, etc. returned to First Circuit Court	HSC 504-5	11. Supplemental Memorandum in Support of Motion; Affidavit of Plaintiff, filed April 8, 1975;	32 - 37
DV (HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).		12. Letter from William C. McCorriston to Honorable Norito Kawakami, dated March 31, 1975, filed April 11, 1975;	38 - 39
Xxx HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.		13. Order Dismissing Complaint and Denying Motion for Summary Judgment, filed April 11, 1975;	40
"RGH" - p.8		14. Return of Service, filed April 14, 1975;	41
		15. Notice of Appeal; Designation of Record on Appeal, filed April 15, 1975;	42 - 43
		16. Request for Transcript of Proceedings for Record on Appeal, filed April 15, 1975;	44
		17. Request for Transcript of Proceedings for Record on Appeal, filed April 15, 1975;	45

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<u>Designation of Contents of Record on Appeal</u>			<u>Page No.</u>
HSC	18. Letter from William C. McCorriston to Honorable Norito Kawakami, dated Apr. 21, 1975, filed Apr. 29, 1975		46
	19. Letter from William C. McCorriston to Mrs. Janice Ching Yee, dated Apr. 9, 1975, filed Apr. 29, 1975		47
	20. Order denying motion for reconsideration, filed Apr. 29, 1975		48
	21. Record on appeal, filed in Supreme Court May 23, 1975, received May 28, 1975	49 - 53	
HSC	Certificate of disqualification (H. B. Kidwell) July 3, 1975	HSC 7- 8	
HSC	Jul. 22, 1975 - Plaintiff-appellant's opening brief	HSC 9 - 64	
	Plaintiff-appellant pro se's opening brief No. 5903, filed in HSC July 22, 1975 at 3:11		
HSC	Aug. 19, 1975 - Motion to affirm and memorandum in support of motion . . .	HSC 65- 76	
HSC	Aug. 19, 1975 - Notice of setting case for argument.	HSC 77	
HSC	Appellant's letter to Justices for notification.. (David <u>Ingram</u> was fired Aug. 22, 1975)	HSC	
HSC	Aug. 22, 1975 - Letter dtd 8/21/75: Receipt of notice for setting case for argument	HSC 78	
HSC	Aug. 25, 1975 - Motion to strike defendants-appellees motion to affirm, ETC. and plaintiff-appellant's memo of law and arguments	HSC 79- 98	
	Aug. 28, 1975 - Receipt for notice of setting case for argument	HSC 99	
	Sep. 2, 1975 - Assignment of substitute Justice (Kato for Kidwell)	HSC 100	
HSC	Hearing in Hawaii Supreme Court for Yee vs. Chun No. 5903, Sept. 1, 1975.		
	Order denying appellant's motion to strike defendants-appellees motion to affirm which was affirmed, filed Sep. 9, 1975.	HSC	
HSC	Sept. 9, 1975 - Order (Motion to affirm - granted / Motion to strike - denied)	101 - 102	
HSC	22. Order, filed in Supreme Court Sept. 9, 1975, received Sept. 9, 1975	54 - 55	
	23. Receipt for Exhibits, etc., Returned to First Circuit Court, filed Sept. 10, 1975	56 - 59	

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<u>Designation of Contents of Record on Appeal</u>			<u>Page No.</u>
HSC	Sept. 9, 1975 - Receipt for copy of Order (Motion to affirm)		HSC 102
	Sept. 9, 1975 - Receipt for exhibits, etc. Returned this date		HSC 104 - 107
	Sept. 11, 1975 - Motion for reconsideration of order of Sept. 9, 1975 and/or motion for summary judgement memorandums of law . . .		HSC 108 - 122
HSC	Sept. 25, 1975 - Plaintiff-appellant's affidavit for motion for reconsideration of order of Sept. 9, 1975 and motion for summary judgement	123 - 124	
HSC	Appellant's letter requesting a copy of the transcript of the hearing dated Sept. 2, 1975, at 10:30 for Case No. 5930, or court reporter for future hearings, dated Oct. 4, 1975.		HSC
HSC	Oct. 6, 1975 - Order (motion to reconsider order - denied)		HSC 125 - 126
	Oct. 7, 1975 - Letter from Janice Ching Yee re: Request for transcript of proceedings		HSC 127
	Oct. 14, 1975 - Motion for reconsideration of order of Oct. 6, 1975 and re-motion for reconsideration of order of Sept. 9, 1975 .		HSC 128 - 134
	Oct. 20, 1975 - Motion to amend opening brief for excusable error or neglect.		HSC 135 - 136
	Oct. 20, 1975 - Letter to Janice Ching Yee from Chief Justice re: Request for transcripts - denied		HSC 137
	Oct. 20, 1975 - Denying re-motion for reconsideration . . .		HSC 138 - 139
	Nov. 3, 1975 - Letter from J. C. Yee to Court re: Objection to clerks of the court as to filing certain papers.		HSC 140 - 151
PV(HSC)	Appellant's unfiled "Motion for Reconsideration of the order of Oct. 20, 1975 in its entirety" and letter to the Justice for filing, marked "received" by the Court, November 3, 1975.		
HSC	Nov. 14, 1975 - Assignment of substitute Justice (Chang for Kidwell)		HSC 152
HSC	Nov. 18, 1975 - Order re: Affirming lower court judgement and denying motion for reconsideration . . .		HSC 153 - 154
PV(HSC)	Appellant's "Motion to consolidate appeals against conspiracy for prejudiced persecution by malicious abuse of judicial process for deprivation of income and legal rights for plaintiff-appellant: Motion for judgement on the pleadings: Memorandums of points and authorities, affidavit of plaintiff-appellant, filed Dec. 5, 1975		

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<u>HSC</u>	Appellant's "Request for Entry of Default;" "Entry of Default;" Affidavit of Plaintiff-appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented on Dec. 16, 1975.	(HSC)
<u>PV(HSC)</u>	Appellant's "Motion for judgement on the pleadings for plaintiff-appellant pro se; memorandums of law in support of motion; affidavit of plaintiff-appellant pro se; was refused filing by the clerks or court dated Dec. 22, 1975. Letter to the Justices for approval for filing, dated Dec. 23, 1975, was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801.	
<u>HSC</u>	Appellant's "Motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.	
<u>HSC</u>	Order denying motion to consolidate appeals against conspiracy, filed Jan. 12, 1976.	HSC
<u>HSC</u>	Appellant's objection to order of Jan. 12, 1976, denying motion of December 5, 1975; Etc... filed Jan. 21, 1976.	HSC
<u>HSC</u>	Another letter from Appellant for transcripts of hearings according to Hawaii's Revised Statutes, Chapter 622-19 and/or Hawaii's Supreme Court Rules, Code of Professional Responsibilities, Ethical Considerations 7-22, dated Dec. 29, 1975	HSC
<u>HSC</u>	Another letter to the office of the Clerk requesting transcripts, according to Rule 21 of the United States Supreme Court Rules for review by Petition for Writ of Certiorari to the Supreme Court of the United States, dated Jan. 19, 1976.	HSC
<u>HSC</u>	Letter dated Jan. 26, 1976 from Janice Yee re: Copy of transcript.	HSC 155
	Letter dated Jan. 27, 1976 from Chief Clerk to Janice Yee re: Transcript	HSC 156
<u>HSC</u>	Order denying "Motion for reconsideration" filed Feb. 13, 1976.	HSC
	Order denying "Motion for amendment of exhibits" filed Feb. 13, 1976.	
<u>HSC</u>	Letter dated Mar. 19, 1976 - From Janice Yee re: Copy of transcript.	HSC 157
	Apr. 1, 1976 - Letter dated Apr. 1, 1976 from Deputy Clerk to J. C. Yee re: Transcript	HSC 158
<u>HSC</u>	Appellant's letter to the Court, notifying of a week's vacation, dated May 3, 1976.	HSC
<u>wscc</u>	PETITION, filed Apr. 7, 1976. Denied "REHEARING 10/4/76" "EC" - p.4	HSC

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<u>HSC</u>	Motion to reopen and consolidate cases titled, according to HRS, Chapter 657-20; memorandums of law, arguments, and exhibits, in support of motion; more comprehensive affidavit filed in Hawaii Supreme Court, filed Feb. 14, 1977.	HSC 6* - 128
<u>HSC</u>	Stipulation for motion to reopen and consolidate cases titled, according to Hawaii Revised Statutes, Chapter 657-20, filed Feb. 14, 1977, approved and order for stipulated cases, filed Feb. 18, 1977.	HSC 129 - 130
<u>HSC</u>	Additional memorandums of law in support of "Motion to reopen and consolidate cases titled" etc., filed Feb. 14, 1977, filed Feb. 24, 1977.	HSC 131 - 132
<u>PV</u>	Letter from attorney Wm. C. McCorriston for defendant Edward Y. C. Chun, et all re: civil 44245 of consolidation to plaintiff pro se	
<u>HCC</u>	Hearing March 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong	HCC
<u>HCC</u>	Request for transcript of hearing of Mar. 1, 1977.	HCC
<u>HSC</u>	Order denying motion to reopen and consolidate cases titled, according to HRS, Chapter 657-20, filed Mar. 7, 1977	HSC 133 - 134
<u>HSC</u>	Notice of Appeal: designation of record on appeal, filed Mar. 7, 1977	HSC 135 - 137
<u>HSC</u>	Certificate of Service, filed Mar. 7, 1977	HSC 138
<u>HSC</u>	Amended request for transcript of proceedings for record on appeal, filed Apr. 7, 1977	HSC 139
<u>HSC</u>	Amendment of Complaints, filed Feb. 10, 1975, filed Apr. 11, 1977/	140 - 141
<u>HSC</u>	Record on Appeal	
<u>HSC</u>	Court's notice of entering case on calendar, dated April 18, 1977.	
<u>HSC</u>	Plaintiff-appellant pro se Janice Ching Yee's opening brief for "appeal to reopen and consolidate cases titled", filed in Hawaii Supreme Court June 16, 1977.	
<u>HSC</u>	Appellant's letter to Hawaii Supreme Court Justices to include "confidential" appendix "tax", dated June 16.	
<u>HSC</u>	Appendix 7th presented and not filed by clerks or court, dated June 20.	

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation . . .</u>	<u>Page No.</u>
HSC Appellant's additional Appendix P.P. filed June 24, 1977.	HSC	HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al., and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.	
HSC Letter from Chief Justice Richardson's office denying inclusion of appendix "as"(1) allowing amendment of opening brief and (2) denying filing of additional appendix 7th.	HSC	HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.	
HSC Appellant's Amendment of Plaintiff Appellant Pro Se's opening brief, filed June 29, 1977, dated June 29, 1977	HSC	HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.	
HSC Order Denying Financial Relief as pled in appendix P.P., filed June 29, 1977.			
HSC Appellant's Motion to Amend Opening Brief to include Additional Questions, Points or Error, and Arguments for Appellant; memorandums & arguments; certificate of service, was refused filing by the clerk and the court dated July 5, 1977.		PV ( HSC ) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCrosson (#561745).	
HSC Appellant's Motion for Relief of Order filed June 29, 1977; memorandums of law and arguments; certificate of service dated June 30, 1977 was refused filing by the clerks and the court on July 6, 1977.		HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.	
HSC Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. certified receipts to Chang #915046; Kobayashi #15053, Ogata #15054, menor #15051 and Richardson #915050, who secretary refused to pick it up from the post office, so it was returned unopened.			
HSC Letter to the court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to copyright Appellant's pleadings, dated July 11, 1977.			
HSC Letter from Clerk Clement Chun, returning fly sheet and denying help.			
PV ( HSC ) Appellant's Amendment for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977.			
HSC Letter from Chief Justice Richardson approval of filing for motion for relief of order, filed June 29, 1977, dated June 30, 1977 (2) "motion to amend opening brief to include additional questions, points of error and arguments for appellant, dated July 5, 1977"; and (3) "amendment for plaintiff appellant pro se's opening brief, dated July 18, 1977; all of which was filed July 25, 1977.	HSC		
PV ( HSC ) Objection to denial for filing of proper motions and Amendments presented July 29, 1977, and denied filing by the clerks and the court.		"EC" - p.8	

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PV - Request for entry for default; entry  
for default, verified affidavit of plaintiff (HSC)  
x appellant pro se; certificate of service;  
exhibits; was refused filing by clear,  
Clement Chun, also refusing to submit for  
consideration by the court. Notarized by  
Notary Philip Hirano dated Aug. 22, 1977.

HSC Court's Letter to Attorney McCarriston, of Defendants-  
Appellees Edward Y.C. Chun's Default; dated  
August 22, 1977.

HSC APPELLEES' "MOTION TO DISMISS OR STRIKE APPEAL,"  
by Attorney McCarriston for Edward Y.C. Chun, et  
al., Appellees, filed August 29, 1977.

HSC "APPELLANT'S MOTION TO STRIKE APPELLEES' ILLEGAL  
MOTION FOR DISMISSAL; AND/OR, IN THE ALTERNATIVE,  
MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JCY\*\*"  
dated Saturday Sept. 3, 1977, Labor Day weekend;  
filed September 6, 1977, Monday. (v. Chun, et al.)

HSC "AMENDMENT OF APPELLANT'S MOTION TO STRIKE APPELLEES'  
ILLEGAL MOTION", filed Sept. 7, 1977. (v. Chun, et al.)

PV(HSC) Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND  
NEGLECT", presented October 3, 1977, for updating  
Title of the Hawaii State Bar Association, refused  
filing by the clerks or court.

HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529  
ON THE COURT CALENDAR, filed Oct. 4, 1977.

PV(HSC) "ADDITIONAL APPENDIX "WDI" AS PERTINENT EVIDENCE OF  
APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH  
x NEGLIGENCE BY HSBA MEMBER DAVID INGMAN", presented  
Nov. 18, 1977, was refused filing by the Clerks,  
"because case #5930 is finished"; even after told  
it was part and parcel of the present case HSC#6529,  
then, and was "pertinent for just adjudication" for  
Appellant, who was then notified of Dismissals, and  
notified the Court of intention to APPEAL.

<u>Description of Contents of Record on Appeal</u>		<u>Page No.</u>
HAWAII CIRCUIT COURT	Civil No. 44263 - Yee v. Nagahisa, et al, Adams, et al.	
1. Complaints; Summons, filed Feb. 11, 1975.		1 - 6
2. Return of Service, filed February 19, 1975;		7
3. Motion for Summary Judgment; or in the Alternative Motion for More Definite Statement and Motion to Strike; Memoran- dum of Law; Exhibits A to E; Notice of Motion; Certificate of Service, file February 27, 1975;		8 - 29
4. Motion for Summary Judgment; Amended Complaint and/or Responsive Complaint, filed March 5, 1975;	30	- 35
5. Notice of Motion, filed March 6, 1975;	36	- 37
6. Return of Service, filed March 10, 1975;		38
7. Return of Service, filed March 10, 1975;		39
8. Motion for Reconsideration of Court's Ruling; Memorandum in Support of Motion; Affidavit of Plaintiff; Notice of Motion, filed March 24, 1975;	40	- 44a
9. Return of Service, filed April 1, 1975;		45
10. Memorandum in Opposition to Plaintiff's Motion for Reconsideration, filed April 2, 1975;	46	- 48
11. Supplemental Memorandum in Support of Motions; Affidavit of Plaintiff; Notice of Taking of Deposition of Written Report and Affidavit, filed April 9, 1975;	49	- 58
12. Return of Service, filed April 10, 1975;		59
13. Letter from Nelson S. W. Chang, Deputy Attorney General to The Honorable Norito Kawakami, dated March 31, 1975, filed April 11, 1975;	60	- 61
14. Order Granting Defendants' Motion for Summary Judgment and Denying Plaintiff's Motion for Summary Judgment, filed April 11, 1975;	62	- 63
15. Notice of Entry of Order, filed April 11, 1975;		64

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<u>HCC</u> 16. Motion for Retrial; Motion to Amend Complaints Per Judge's Ruling of April 9, 1975; Motion to Strike Defendants' Memorandum in Opposition to Plaintiff's Motion for Reconsideration; Motion for Summary Judgment; Memorandum in Support of Motions; Notice of Taking Depositions of Written Reports and Affidavits; Affidavit of Plaintiff; Notice of Motion, filed April 14, 1975;	65 - 87
17. Return of Service, filed April 18, 1975;	88
18. Supplemental Motion to Amend Complaints; Memorandum in Support of Motion; Notice of Motion, filed April 24, 1975;	89 - 96
19. Return of Service, filed April 25, 1975;	97
20. Letter from Nelson S. W. Chang, Deputy Attorney General to Honorable Norito Kawakami, dated May 6, 1975, filed May 7, 1975;	98 - 99
21. Order Denying Plaintiff's Motion for Retrial, Motion to Amend Complaint, Motion to Strike and Motion for Summary Judgment, filed May 7, 1975;	100 - 101
22. Notice of Appeal; Designation of Record on Appeal, filed May 12, 1975;	102 - 103
23. Request for Transcript of Proceedings for Record on Appeal, filed May 12, 1975;	104
24. Record on Appeal, filed in Supreme Court June 19, 1975, received June 19, 1975;	105 - 109
<u>HSC</u> Aug. 18, 1975 - Plaintiff-appellant's opening brief	HSC 7- 96
<u>HSC</u> Oct. 1, 1975 - Certificate of recusal (H. B. Kidwell)	HSC 97- 98
Oct. 8, 1975 - Answering brief	HSC 99-117
<u>HSC</u> Request for transcript for Civil 44263 filed Oct. 23, 1975	HSC
<u>HSC</u> Oct. 28, 1975 - Plaintiff-appellant's reply brief action for amendments	HSC118-144
<u>HSC</u> Nov. 14, 1975 - Assignment of substitute Justice (Chung for Kidwell)	HSC 145

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<u>Designation of Contents of Record on Appeal</u>		Page No.
<u>HCC</u> 25. Receipt of deposit for transcript fees, filed Nov. 21, 1975		110
26. Letter from Caroline L. Blakely to Mrs. Janice Ching, filed Nov. 21, 1975;		111
<u>HSC</u> Nov. 26, 1975 - Motion to amend pleadings for inadvertent neglect;	HSC 146-147	
Dec. 5, 1975 - Motion to consolidate appeals . . .		HSC 148-164
<u>PV (HSC)</u> Appellant's "Request for entry of default; entry of default; affidavit of plaintiff-appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented on Dec. 16, 1975.		
<u>PV (HSC)</u> Appellant's "Motion for judgement on the pleadings for plaintiff appellant pro se; memorandums of law in support of motion; affidavit of plaintiff-appellant pro se; was refused filing by the clerks or court dated Dec. 22, 1975. Letter to the Justices for approval for filing, dated Dec. 23, 1975 was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801.		
<u>PV (HSC)</u> Appellant's "Motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975 was refused filing by the clerks or court who returned the pleading on Jan. 7, 1976.		
Appellant's objection to order of Jan. 12, 1976 denying motion of Dec. 5 1975, "etc." filed Jan. 21, 1976.		
<u>HSC</u> Dec. 4, 1975 - Order denying notice for amendments.		HSC 165-166
<u>PV (HSC)</u> Appellants Motion for judgement on the pleadings for same pro se; memorandum; affidavit; not accepted for filing, dated Dec. 22, 1975.		
<u>HSC</u> Jan. 11, 1976 - Order granting motion to amend pleadings		HSC 167-168
Jan. 12, 1976 - Order denying motion to consolidate appeals;		HSC 169-170
Jan. 19, 1976 - Motion for relief from order denying amendment, etc.		HSC 171-188
Jan. 21, 1976 - Object to order of Jan. 12, 1976, etc.		HSC 189-195
Jan. 21, 1976 - Motion for amendment of exhibits, etc.		HSC 196-205
Jan. 22, 1976 - Exhibit "A" for "Motion for amendment" filed Jan. 21, 1976		HSC 206-208

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<u>Designation of Contents of Record on Appeal</u>		<u>Page No.</u>
<u>HSC</u>	Jan. 29, 1976 - Motion to dismiss and memorandum in support of motion to dismiss	HSC 209-213
	Feb. 4, 1976 - Motion to strike defendants-appellee's motion to dismiss. . .	HSC 214-223
	Feb. 13, 1976 - Order denying motion for summary judgement for plaintiff-appellant and/or judgement on the pleadings	HSC 224-225
	Feb. 13, 1976 - Order denying motion for relief from order denying amendment	HSC 226-227
	Feb. 12, 1976 - Order - denying motion for amendment of exhibits for restitution	HSC 228-229
	Feb. 13, 1976 - Order - denying motion for reconsideration	HSC 230-231
<u>PV (HSC)</u> <del>xx</del>	Appellant's "Objection to order of Feb. 13, 1976, denying Motion for relief, etc. and/or Motion to amend opening brief; and/or denying motion for summary judgement and/or judgement on pleadings; motion for reconsideration of Motion to amend opening brief; memorandums and arguments in support of objection and motion; affidavit of plaintiff-appellant pro se was not accepted for filing by the clerks or the court. regular mail, Nāgāmīshū, et al.	
<u>HSC</u>	Mar. 2, 1976 - Notice of setting case for argument	HSC 232
	Mar. 4, 1976 - Receipt for notice of setting case for argument	HSC 233-237
<u>HSC</u>	Notice of hearing for case HSC #5924 on Mar. 9, 1976 at 9:00 a.m.	HSC
<u>HSC</u>	Appellant's letter acknowledging receipt of notice, Mar. 4, 1976	HSC
<u>HSC</u>	Hearing for case HSC #5924 on Mar. 9, 1976 at 9 a.m.	HSC
<u>HSC</u>	Appellant's letter requesting copy of transcript for hearing on Mar. 9, 1976.	HSC
<u>HSC</u>	Mar. 19, 1976 - letter dated 3/19/76 from J. C. Yee re: copy of transcript	HSC 238
<u>PV (HSC)</u> <del>xx</del>	Appellant's amendment of opening brief, requesting all members of Hawaii's Family Court or Hawaii's Department of Health, not involved to sign affidavits, to this effect, was refused filing by the Clerks or court, dated Mar. 23, 1976. Certified mail receipt No. 834048 sent to Defendants-Appellees, dated Mar. 31, 1976.	
<u>HSC</u>	Order, filed in Supreme Court Apr. 1, 1976, received Apr. 2, 1976	112 - 113

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<u>Designation of Contents of Record on Appeal</u>		<u>Page No.</u>
<u>HSC</u>	Apr. 1, 1976 - Letter dated Apr. 1, 1976 from deputy clerk to J. C. Yee re: transcript	HSC 239
	Apr. 1, 1976 - Order granting appellees' motion to dismiss appeal	HSC 240-241
	Apr. 2, 1976 - Receipt of copy of order (Motion to dismiss granted)	HSC 242
<u>HCC</u> 28.	Receipt for exhibits, etc., returned to First Circuit, filed Apr. 20, 1976	114 - 117
<u>PV</u> <u>(HSC)</u>	Appellant's letter to the Court notifying of a week's vacation, dated May 3, 1976.	
<u>VSSE</u>	"JOINT PETITION FOR WAIVER & RECORDER", etc., filed Apr. 7, 1976, ETC.	VSSE
<u>VSSE</u>	DENIED for Rehearing Oct. 4, 1976. Last letter attesting fact, Dec. 10, 1976.	VSSE
<u>HCC</u> 29.	"Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20;" memorandum of law, arguments, and exhibits, in support of motion; more comprehensive affidavit filed in Hawaii Supreme Court, filed Feb. 14, 1977	118 - 184
30.	Stipulation for Motion to Reopen and Consolidate Cases Titled, According to Hawaii Revised Statutes, Chapter 657-20, Filed, February 14, 1977, Approved and Ordered for Stipulated Cases, filed February 18, 1977;	185 - 186
31.	Notice of Motion, filed February 18, 1977;	187
32.	Additional Memorandum of Law in Support of "Motion to Reopen and Consolidate Cases Titled", etc., Filed February 14, 1977, filed February 24, 1977;	188 - 189
33.	Order Denying Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20, filed March 7, 1977;	190 - 191
34.	Notice of Appeal; Designation of Record on Appeal, filed March 7, 1977;	192 - 194
35.	Request for Transcript of Proceedings for Record on Appeal, filed March 7, 1977;	195
36.	Certificate of Service, filed March 7, 1977;	196
37.	Amended Request for Transcript of Proceedings for Record on Appeal, filed April 5, 1975;	197
38.	"Amendment of Complaints, Filed February 11, 1975"; filed April 11, 1977;	198 - 199

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<u>Designation</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page. No.</u>
HSC Record on appeal.	HSC		
HSC Court's Notice of entering case on calendar, dated April 18, 1977.	HSC		
HSC Plaintiff-Appellant Pro Se Janice Ching Yee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court June 16, 1977.	HSC		
HSC Appellant's letter to Hawaii Supreme Court Justices to include "Confidential" and Appendix "7th", dated June 16, 1977.	HSC		
PV(HSC) "Appendix 7th" presented and not filed by clerks or court, dated June 20, 1977.			
HSC Appellant's additional appendix P.P. filed June 24, 1977.	HSC		
HSC Letter from Chief Justice Richardson's office, (1) denying inclusion of appendix "7th", (2) allowing amendment of opening brief and (3) denying filing of additional "Appendix 7th."	HSC		
HSC Appellant's "Amendment" of plaintiff-appellant pro se's "Opening Brief" dated June 20, 1977 and filed June 29, 1977, after court considered.	HSC		
HSC Order denying financial relief as pled in appendix P.P., filed June 29, 1977.	HSC		
PV(HSC) Appellant's motion to amend opening brief to include additional questions, points or error, and arguments for appellant; memorandums and arguments; certificate of service, was refused filing by the clerk and the Court dated July 5, 1977.			
PV(HSC) Appellant's "Motion for Relief of Order filed June 29, 1977" memorandums of law and arguments; certificate of service dated June 30, 1977, was refused filing by the clerks and the court, after July 6, 1977.			
PV(HSC) Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. Certified receipts to Chang #915059, Kobayashi #915053, Ogata #915054, Menor #915051 and Richardson #915050, whose secretary refused to pick it up from the post office, so it was returned unopened.			
		HSC Letter to the Court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to Copyright Appellant's pleadings, dated July 11, 1977.	HSC
		HSC Letter from Clerk Clement Chun, returning "fly sheet" and denying help.	HSC
		PV(HSC) Appellant's Amendment for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977, after the permission granted by Chief Justice Richardson.	
		HSC Letter from Chief Justice Richardson, denying approval of filing for (1) "Motion for relief of order, filed Jun 29, 1977, dated June 30, 1977" (2) "Motion to Amend Opening Brief to include Additional Questions, Points of Error and Arguments for Appellant, dated July 5, 1977"; and (3) "Amendment for Plaintiff-Appellant Pro Se's Opening Brief, dated July 18, 1977, all of which was denied July 25, 1977.	HSC
		PV(HSC) Appellant's "Objection to Denial" for filing of proper motions and amendments, presented July 29, 1977, and denied filing by the clerks and the court.	
		HSC Appellees' Motion for Dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees Judge Betty Vitousek, et al and/or Judge Norito Kawakami; and/or defendants-appellees Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed August 3, 1977.	HSC
		HSC "Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the alternative, motion for summary judgement for Appellant Pro Se, Janice Ching Yee; memorandums of law, arguments, in support of motions, whereof exhibit V was deleted by clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.	HSC

"NA" - p.7

<u>Designation . . .</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
(HSC) Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND PV NEGLIGENCE", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.		HAWAII CIRCUIT COURT <u>Civil No. 45123 - Yee v. Vitousek</u>	
HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE RSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.		HCC 1. Complaints Sursors; Affidavit of Plaintiff, filed May 16, 1975; 1 - 572	
PV(HSC) "ADDITIONAL APPENDIX "MDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBAA MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished," even after told it was part and parcel of the present case HCC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.		2. Return of Service, filed June 12, 1975; 573	
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al., and/or Adams et al; &/or, Hogan, et al.; Nickelsen, et al.; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.		3. Motion for Dismissal for Failure to State a Claim Upon Which Relief can be Granted or in the Alternative Motion for More Definite Statement and Motion to Strike; Memorandum of Law; Notice of Motion, filed July 1, 1975; 574 : 582	
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.		4. Motion to Strike Defendants' Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted etc.; Motion to Accept Original Complaint with Exceptions or in the Alternative Motion for Summary Judgment for Plaintiff; Affi- avit; Notice of Motion, filed July 11, 1975; 583 - 604	
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.		5. Return of Service, filed July 11, 1975; 605	
PV (HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCroriston (#561745).		6. Additional Argument in Support of Complaint with Exceptions and/or in the Alternative, Motion for Summary Judgment for Plaintiff; Affidavit of Plaintiff, filed August 4, 1975; 606 - 608	
HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.		7. Return of Service, filed August 5, 1975; 609	
"NA" - p.8		8. Letter from Cedric Choi, Deputy Attorney General to Honorable Harold Shintaku, dated August 19, 1975, filed August 27, 1975; 610	
		9. Order Granting Defendants' Motion to Dismiss, filed August 28, 1975; 611 - 612	
		10. Notice of Appeal; Designation of Record on Appeal, filed September 2, 1975; 613 - 614	
		11. Request for Transcript of Proceedings for Record on Appeal, filed September 2, 1975; 615	
		12. Record on Appeal, filed in Supreme Court October 3, 1975, received October 3, 1975; 616 - 619	
		HSC Record on Appeal, filed Oct. 3, 1975 HSC 1 - 4	
		Notice of Entering Case on Calendar Filed Oct. 3, 1975 HSC 5	

APPENDIX "tCR v. BK"

<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HSC Nov. 11, 1975 - Motion to transfer transcripts requested for Case Nos. 5930-6008	HSC 6- 8	HSC Feb. 2, 1976 - Return of service	HSC 305
Nov. 12, 1975 - Motion to transfer transcripts requested for Case No. 5930-6008	HSC 9- 11	Feb. 5, 1976 - Exhibit of amendment #4 for motion to strike defendant-appellees' motions, etc. . . .	HSC 306-308
Nov. 14, 1975 - Assignment of Substitute Justice (Chang for Kidwell)	HSC 12	Feb. 13, 1976 - Order denying motion for amendment of opening brief. . .	HSC 309-310
Nov. 17, 1975 - Certificate of recusal (H. B. Kidwell)	HSC 13- 14	Feb. 13, 1976 - Order - denying motion for amendment of exhibits for restitution	HSC 311-312
Nov. 19, 1975 - Order (Motion to transfer transcripts, denied)	HSC 15- 16	Feb. 18, 1976 - Order - denying motion for reconsideration	HSC 313-314
Nov. 25, 1975 - Opening Brief	HSC 17-237	PV Appellant's "Objection to Order of (HSC) Feb. 13, 1976 - Denying Motion to Amend Opening Brief;" "Motion for summary judgement and/or judgement on the pleadings for appellant pro se;" "motion for reconsideration of motion to amend opening brief;" memorandums and arguments in support of objection and motion; affidavit of plaintiff-appellant pro se; refused filing by clerks, dated Feb. 17, 1976, certified mail receipt No. 480966 to appellees.	
Dec. 5, 1975 - Motion to consolidate . . .	HSC 238-254	HSC Notice of setting case for argument	HSC 315
PV(HSC) Appellant's "request for entry of default; entry of default; affidavit of plaintiff-appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented Dec. 16, 1975		HSC Letter from the office of the disciplinary counsel Jung Lowe of the Supreme Court of the State of Hawaii contradicting his position and denying jurisdiction against Judge Betty Vitousek in violation of Hawaii Supreme Court's judicial code and/or HSCR, code of professional responsibilities ethical consideration 7-21 against malicious abuse of judicial process as misconduct, dated Mar. 3, 1976.	HSC
xxx x Appellant's motion for judgement on the pleadings for plaintiff-appellant pro se memorandums of law in support of motion affidavit of plaintiff-appellant pro se was refused filing by the clerks or court dated Dec. 22, 1975. Letter to the court for approval for filing, dated Dec. 23, 1975 was ignored. Certified mail receipt No. 460798 to appellees.		HSC Mar. 4, 1976 - Receipt for notice of setting case for argument(Yee)	HSC 316-320
ov(HSC) Appellant's "Motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleading on Jan. 7, 1976.		Mar. 5, 1976 - Receipt for notice of setting case for argument (defendants) Mar. 9, 1976 - Hearing at 9 a.m.	HSC 321
HSC Jan. 12, 1976 - Order denying motion to consolidate appeals	HSC 255-263	Mar. 10, 1976 - Letter to Jung Lowe from Mrs. Yee	HSC 322
Jan. 21, 1976 - Objection to order of Jan. 12, 1976, etc.	HSC 257-263	Mar. 19, 1976 - Letter dated Mar. 19, 1976 from J. C. Yee re: Transcript	HSC 323
Jan. 21, 1976 - Motion for amendment of exhibits, etc.	HSC 264-273	PV(HSC) Appellant's "Amendment of opening BRIEF" xxx x refused filing by the clerks or court, after consideration dated March 23, 1976. Returned by court Mar. 31, 1976, unfiled, and certified mail No. 834048 on Mar. 31, 1976 to appellees, wherefore it was pertinent notification of any "member of Hawaii's Family Court or Hawaii Bar Association or clerks of Hawaii's Supreme Court" to sign affidavits of non-involvement if not involved. (HSC)	
Jan. 22, 1976 - Exhibit "A" for "Motion for Amendment" filed Jan. 21, 1976	HSC 274-276		
Jan. 23, 1976 - Motion to affirm and alternative motion to dismiss and a further alternative motion for extension of time to file an answering brief memorandum in support of motion. Certificate of service	HSC 277-288		
HSC Feb. 2, 1976 - Motion to strike defendants-appellees' motion of Jan. 22, 1976...	HSC 289-304		

Designation of Contents of Record on Appeal

	Page No.
HSC Apr. 1, 1976 - Letter dated 4/1/76 to J. C. Yee from Clerk's office re: transcript.	HSC 324
Apr. 1, 1976 - Order granting appellee's motion to dismiss appeal	HSC 325-326
Apr. 2, 1976 - Receipt of copy of order (Motion to dismiss granted)	HSC 327
<del>HSC</del> Order dismissing appeal affirming the lower trial court's judgement	
HCC 13. Order, filed in Supreme Court April 1, 1976, received April 2, 1976; <del>Pltf. filed Apr. 7, 1976. Denied REHEARING Oct. 4, 1976.</del> HSC 620 - 621	
<del>HSC</del> 14. Receipt for Exhibits, etc., Returned to First Circuit Court, filed April 20, 1976; <del>HSC</del> 622 - 624	
<del>RSC</del> Letter to Court + Appellees, dated May 3, 1976.	
HCC 15. Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20; Memorandum of Law, Arguments, and Exhibits.; More Comprehensive Affidavit Filed in Hawaii Supreme Court, filed February 14, 1977; <del>HCC</del> 625 - 693	
HCC 16. Stipulation for Motion to Reopen and Consolidate Cases Titled, According to Hawaii Revised Statutes, Chapter 657-20, Filed February 14, 1977; Approved and Order for Stipulated Cases, filed February 16, 1977; <del>HCC</del> 694 - 695	
<del>HCC</del> 17. Notice of Motion, filed February 18, 1977; <del>HCC</del> 696	
HCC 18. Additional Memorandums of Law in Support of "Motion to Reopen and Consolidate Cases Titled", etc., Filed February 14, 1977, filed February 14, 1977; <del>HCC</del> 697 - 698	
<del>HCC</del> Hearing Mar. 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong	
Request for transcript of hearing of Mar. 1, 1977.	
HCC 19. Order Denying Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20, filed March 7, 1977; <del>HCC</del> 699 - 700	
HCC 20. Notice of Appeal; Designation of Record on Appeal, filed March 7, 1977; <del>HCC</del> 701 - 703	
HCC 21. Request for Transcript of Proceedings for Record on Appeal, filed March 7, 1977; <del>HCC</del> 704	

Designation of Contents of Record on Appeal

	Page No.
HCC 22. Certificate of Service, filed March 7, 1977;	<del>HCC</del> 705
HCC 23. Amended Request for Transcript of Proceeding for Record on Appeal, filed April 5, 1977;	<del>HCC</del> 706
HCC 24. "Amendment of Complaints, Filed May 16, 1975" filed April 11, 1977; <del>HCC</del> 707 - 708	<del>HSC</del>
<del>HSC</del> record on appeal court's notice of entering case on calendar, dated April 18, 1977	<del>HSC</del>
<del>HSC</del> Plaintiff-Appellant pro Se Janice Ching Yee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court June 16, 1977.	<del>HSC</del>
<del>HSC</del> Appellant's letter to Hawaii Supreme Court Justices to include "confidential" appendix "tax", dated June 16, Appendix x 7th presented and not filed by clerks or court, dated June 20, appellant's additional appendix PP filed June 24, 1977. (1)	<del>HSC</del>
<del>HSC</del> letter from Chief Justice Richardson's office Denying inclusion of appendix "tax" (2) allowing amendment of opening brief and (3) denying filing of additional appendix 7th. (2)	<del>HSC</del>
<del>HSC</del> Appellant's Amendment of Plaintiff Appellant pro Se's Opening Brief, filed June 29, 1977. (3)	<del>HSC</del>
<del>HSC</del> Order Denying "Financial Relief" as filed in appendix p.p., filed June 29, 1977.	<del>HSC</del>
<del>PV</del> Appellant's Motion to Amend Opening Brief to Include Additional Questions, Points of Error, and Arguments for Appellant; memorandums & arguments; certificate of service, was refused filing by the clerk and the court dated July 5, 1977. (HSC)	
<del>PV</del> Appellant's Motion for Relief of Order filed June 29, 1977; memorandums of law and arguments; certificate of service, dated June 30, 1977 was refused filing by the clerks and the court, dated July 1, 1977. (HSC)	
<del>PV(HSC)</del> Letter to the justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977, certified receipts to Chang #915053, Kobayashi #915053, Onata #915054, Renor #915051 and Richardson #915050, who secretary refused to pick it up from the post office, so it was returned unopened.	
<del>HSC</del> Letter to the court and/or the attorneys of appellees, about appellant's permission to save appellant's good intention to copyright all appellant's pleadings, dated July 11	
<del>HSC</del> Letter from clerk Clement Chun, returning fly sheet and denying help.	

<u>Description of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Description . . .</u>	<u>Page No.</u>
PV(HSC) Appellant's amendment for Plaintiff-Appellant Pro Se's opening Brief; certificate of service attached w/ xxv x Legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977.		HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al, and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.	
PV(HSC) Letter from chief justice richardson denying approval xxx x of filing for "motion for relief of order, filed June 27 1977, dated June 30, 1977" (2) "motion to amend opening brief to include additional questions, points of error and arguments for appellant, dated July 5, 1977"; and (3) "amendment for plaintiff appellant pro se's opening brief, dated July 18, 1977; all of which was filed July 25, 1977.		HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.	
PV(HSC) Appellate xxx x Objection to denial for filing of proper motions and amendments, xxm presented July 29, 1977, and denied filing by the clerks and the court.		HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.	
HSC 1 Appellees' motion for dismissal; statement of reasons in support of motion for dismissal; and certificate of service for Judge Jettert/tovsek, et al and/or judge norito kawakami; AND/OR, defendants-appellees Ferry Nagahisa, et al, and/or dr. betty adams, et al. filed August 3, 1977.		PV(HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).	
HSC "Appellant's Motion to strike motion for dismissal by appellees; and/or, in the alternative, motion for summary judgment for pro se party; memorandums of law, arguments, in support of motions, whereof exhibit v was deleted by clerk chun or couldn't file the motion, filed Aug. 8, 1977.		HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.	
PV(HSC) Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND NEGLECT", presented October 3, 1977, for updating xxx x Title of the Hawaii State Bar Association, refused filing by the clerks or court.			
HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.			
IV(HSC) "ADDITIONAL APPENDIX "MDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH xxx x NEGLIGENCE BY HSBAs MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished" even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.			

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<u>Description of Content of Record on Appeal</u>	<u>Page No.</u>	<u>Description of Content of Record on Appeal</u>	<u>Page No.</u>
HAWAII CIRCUIT COURT Civil No. 44244 - Yee v. Nickelsen			
<u>HCC</u> 1. Complaint; Summons, filed February 10, 1975;	1 - 23	<u>HCC</u> 16. Motion to Amend Motion to Strike Order Dismissing Amended Complaint; Exhibit "B" Supporting Motion; Affidavit of Plaintiff; Notice of Motion, filed June 10, 1975;	98 - 104
2. Return of Service, filed February 14, 1975;	24	17. Return of Service, filed June 12, 1975;	105
3. Motion for Extension of Time to Plead, filed March 3, 1975;	25 - 26	18. Judgment, filed June 16, 1975;	106
4. Order Extending Time to Plead, filed March 3, 1975;	27	19. Notice of Entry of Judgment, filed June 16, 1975;	107
5. Motion to Dismiss and Alternative Motion to Strike, Memorandum in Support of Motions and Notice of Motion, filed March 31, 1975;	28 - 36	20. Notice of Appeal; Designation of Record on Appeal, filed July 7, 1975;	108 - 109
6. Affidavit of Clerk, filed April 2, 1975;	37	21. Request for Transcript of Proceedings for Record on Appeal, filed July 7, 1975;	110
7. Motion to Amend Complaint; Motion to Strike Defendants' Motion to Dismiss; Motion for Summary Judgment; Affidavit of Plaintiff; Notice of Motion, filed April 8, 1975;	38 - 49	22. Record on Appeal, filed August 12, 1975;	111 - 116
8. Motion to Dismiss Amended Complaint, Return to Motion for Summary Judgment, Exhibit A; Memorandum in Support of Motion and Return to Motion for Summary Judgment and Notice of Motion, filed April 11, 1975;	50 - 60	<u>HSC</u> Oct. 1, 1975 - Certificate of recusal (H. B. Kidwell)	HSC 8-9
9. Return of Service, filed April 14, 1975;	61	Oct. 10, 1975 - Plaintiff-appellant's opening brief	HSC 10-119
10. Memorandum in Opposition to Defendants' Motion to Dismiss Amended Complaint, etc.; Exhibits in Support of Memorandum; Affidavit of Plaintiff, filed April 16, 1975;	62 - 74	Oct. 20, 1975 - Motion to amend opening brief for plaintiff-appellant	HSC 120-123
11. Return of Service, filed April 21, 1975;	75	Nov. 14, 1975 - Assignment of substitute Justice (Chang for Kidwell)	HSC 124
12. Memo to The Honorable Norito Kawakami, from William L. Fleming, dated May 5, 1975, filed May 7, 1975;	76 - 77	Nov. 17, 1975 - Order (Motion to amend opening brief - granted) Para. 2(c) is denied	HSC 125-126
13. Order Dismissing Amended Complaint, filed May 7, 1975;	78	<u>HSC</u> Nov. 19, 1975 - Ex parte motion extending time (Dec. 17, 1975) to file answering brief	HSC 127-131
14. Motion to Strike Order Dismissing Amended Complaint; Motion to Amend Complaint for Summary Judgment; Memorandums, Exhibits, and Arguments; Affidavit of Plaintiff; Notice of Motion, filed May 7, 1975;	79 - 90	Nov. 26, 1975 - Motion to amend pleadings for inadvertent neglect	HSC 132-133
15. Return of Service, filed May 8, 1975;	97	Dec. 5, 1975 - Motion to consolidate appeals..	HSC 134-150
APPENDIX "tCR v. HN"		<u>Xxx PV</u> <u>(HSC)</u> (5) -- Appellant's request for entry of default; entry of default; affidavit of plaintiff appellant pro se, was not accepted for filing by the clerks who said the HSC does not consider defaults, presented Dec. 16, 1975.	
"HN" - p.2		<u>HSC</u> Dec. 17, 1975 - Motion to dismiss ..	HSC 151-159

<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
<u>PV</u> --Appellant's motion for judgement on the pleadings for plaintiff-appellant pro se; memorandums of law in support of motion; affidavit of plaintiff-appellant pro se, refused filing by clerks or court dated Dec. 22, 1975. Letter to the court for approval for filing, dated Dec. 23, 1975 ignored. Certified receipt #460797 to defendants-appellees.	
<u>HSC</u> Dec. 23, 1975 - Objection to motion to dismiss . . .	HSC 160-168
<u>PV(HSC)</u> -Appellant's "Motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975, was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.	
<u>HSC</u> Jan. 12, 1976 - Order granting motion to amend pleadings	HSC 171-172
<u>HSC</u> -Appellant's Objection to order of Jan. 12, 1976 denying motion of Dec. 5, 1975, etc., filed Jan. 21, 1976	
<u>HSC</u> Jan. 21, 1976 - Objection to order of Jan. 12 1976, etc.	HSC 173-179
Jan. 21, 1976 - Motion for amendment of exhibits, etc.	HSC 180-189
Jan. 22, 1976 - Exhibit "A" for "Motion for amendment" filed Jan. 21, 1976	HSC 190-192
Feb. 13, 1976 - Order re: Motion for amendment of Exhibits - denied	HSC 193-194
<u>HSC</u> Feb. 13, 1976 - Order (re: consideration of motion to consolidate - denied)	HSC 195-196
<u>PV(HSC)</u> -Appellant's "Objection to orders of Feb. 13, 1976, etc., denied filing by the clerks and court. Certified mail receipts to appellees:....Nickelsen, et al #480968	
<u>HSC</u> Mar. 2, 1976 - Notice of setting case for argument	HSC 197
Mar. 4, 1976 - Receipt for notice of setting case for argument (yee)	HSC 198-202
Mar. 5, 1976 - Receipt for notice of setting case for argument (defendant)	HSC 203
<u>HSC</u> -Hearing in Hawaii Supreme Court Mar. 9, 1976 at 9 a.m.	
<u>HSC</u> Mar. 19, 1976 - Letter dated Mar. 3, 1976 from J. C. Yee re: copy of transcript	HSC 204

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
<u>PV(HSC)</u> -Appellant's amendment of opening brief, refused filing by the court, dated Mar. 23, 1976 whereof it was pertinent notifying all members of HSBA to sign affidavits of non-involvement if not involved. Certified mail receipt #834047 to defendants-appellees.	
<u>HSC</u> Apr. 1, 1976 - Letter dated Apr. 1, 1976 from deputy clerk to J. C. Yee re: copy of transcript	HSC 205
Apr. 1, 1976 - Order granting appellees' motion to dismiss appeal	HSC 206-207
Apr. 2, 1976 - Receipt of copy of order (Motion to dismiss granted)	HSC 208
Apr. 19, 1976 - Receipt for exhibits, etc. returned this date	HSC 209-213
<u>HCC</u> 23. Order, filed in Supreme Court April 1, 1976, received April 2, 1976;	117 - 118
<u>HCC</u> 24. Receipt for Exhibits, etc., Returned to First Circuit Court, filed April 20, 1976;	119 - 123
<u>HSC</u> Appellant's letter notifying of a week's vacation, dated May 3, 1976	
<u>USSC</u> "Petition for WRIT of CORROKNEI", filed April 7, 1976, ETC., including "PETITION FOR REHEARING".	<u>USSC</u>
<u>USSC</u> Denied, October 4, 1976. Last letter attesting fact. December 10, 1976.	<u>USSC</u>
<u>HCC</u> 25. Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20: Memorandum of Law, Arguments, and Exhibits, in Support of Motion; More Comprehensive Affidavit Filed in Hawaii Supreme Court, filed February 14, 1977;	<u>HCC</u> 124 - 192
<u>HCC</u> 26. Stipulation for Motion to Reopen and Consolidate Cases Titled, According to Hawaii Revised Statutes, Chapter 657-20, Filed February 14, 1977; Approved and Ordered for Stipulated Cases, filed February 18, 1977;	<u>HCC</u> 193 - 194
<u>HCC</u> 27. Notice of Motion, filed February 18, 1977;	<u>HCC</u> 195
<u>HCC</u> 28. Additional Memorandums of Law in Support of "Motion to Reopen and Consolidate Cases Titled", etc., Filed February 14, 1977, filed February 24, 1977;	<u>HCC</u> 196 - 197

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<u>Designation</u>	<u>Page No.</u>
PV --Letter from attorney Wm. L. Fleming for . . . Nickelsen, et al Civ. 44244 . . . re: stipulation to plaintiff pro se.	
--Hearing Mar. 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong.	
--Request for transcript of hearing of March 1, 1977	
HCC Order denying motion to reopen and consolidate cases titled, according to HRS, Chapter 657-20, filed Mar. 7, 1977; HCC 29. 198 - 199	
30. Notice of Appeal, filed Mar. 7, 1977; HCC 200 - 202	
31. Request for transcript of proceedings for record on appeal, filed Mar. 7, 1977 HCC 203	
32. Certificate of service, filed Mar. 7, 1977 HCC 204	
33. Amended request for transcript of proceedings for record on appeal, filed Apr. 5, 1977; HCC 205	
34. Amendment of Complaints, filed Feb. 10, 1975, filed Apr. 11, 1977; 206 - 207	
HSC Record on Appeal HSC	
HSC Notice of entering case on calendar, dated April 18, 1977	
HSC Plaintiff-Appellant Pro Se Janice Ching Yee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court, June 16, 1977. HSC	
HSC Appellant's letter to Hawaii supreme court justices to include "confidential" appendix "tax", dated June 16, appendix x 7th presented and not filed by clerks or court, dated June 20; Appellant's "Additional Appendix P2," filed June 24, 1977. (1)	
HSC Letter from Chief Justice Richardson's office, Denying Inclusion of Appendix "tax" (2) allowing Amendment of opening Brief and (3) Denying filing of additional appendix 7th. HSC	
HSC Appellant's Amendment of Plaintiff Appellant Pro Se's Opening Brief, filed June 29, 1977, dated June 29, 1977. HSC	
HSC Order Denying "Financial Relief" as pled in appendix p.p., filed June 29, 1977. HSC	
PV(HSC) Appellant's Motion to Amend Opening Brief to include Additional Questions, Points of Error, and Arguments for Appellant's memorandums & arguments; certificate of service, was refused filing by the clerk and the court dated July 5, 1977. (HSC)	
PV(HSC) Appellant's Motion for Relief of Order filed June 29, 1977; memorandums of law and arguments; certificate of service, dated June 30, 1977, was refused filing by the clerks and the court, dated July 6, 1977. (HSC)	

<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HCC Appellant's "Supplemental Notice of Appeal, none pre-trial of March 14, 1977"; filed July 5, 1977. (HSC)	HCC
PV(HSC) Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. certified receipts to Chang #915069 Kobayashi 915053, Ogata 915054, Menor 915051 and Richardson #915050, who secretary refused to pick it up from the post office, so it was returned unopened.	HSC
HSC Letter to the court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to Copyright Appellant's pleadings, dated July 11, 1977.	HSC
HSC Letter from Clerk Clement Chun, returning fly sheet and denying help.	HSC
PV Appellant's "Amendment for Plaintiff-Appellant Pro Se's Opening Brief," certificate of service attached, for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977.	(HSC)
HSC Letter from Chief Justice Richardson "Denying" approval of filing for "Motion for relief of order, filed June 29, 1977, dated June 30, 1977" (2) "motion to amend opening brief to include additional questions, points of error and arguments for appellant, dated July 5, 1977"; and (3) "amendment for Plaintiff Appellant Pro Se's opening brief, dated July 16, 1977; all of which was filed July 25, 1977.	HSC
PV Appellant's "Objection to Denial for Filing of Proper Motions and Amendments," presented July 29, 1977, and Denied filing by the clerks and the court.	(HSC)
HSC Appellee's attorney Edward Delappe Doyle for Robert G. Hogan, et al; Harold Nickelsen, et al; and James E. Koshiba and/or the HSBA, motioned for "Motion for Dismissal; memorandum in support of motion; and certificate of service, filed Aug. 16, 1977, day after answering brief was due.	HSC

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<u>Designation . . .</u>	<u>Page No.</u>	<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
PV (HSC) Appellant's "AMENDMENT FOR INADVERTANT OMISSION AND NEGLECT", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.		HAWAII CIRCUIT COURT Civil No. 44262 - Yee v. Koshiba &/or HSBA	
HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.		1. Complaint; Return, filed February 11, 1975;	1 - 4
PV (HSC) "ADDITIONAL APPENDIX "MDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBA MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished"; even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.		2. Return of Service, filed February 19, 1975;	5
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al; and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.		3. Motion for Extension of Time to Plead, filed March 5, 1975;	6 - 7
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.		4. Order Extending Time to Plead, filed March 5, 1975;	8
HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.		5. Motion to Dismiss and Alternative Motion to Strike, Memorandum in Support of Motions and Notice of Motions, filed March 31, 1975;	9 - 17
PV (HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).		6. Affidavit of Clerk, filed April 2, 1975;	18
HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.		7. Amended Complaint; Motion to Strike Defendants' Motion to Dismiss; Motion for Summary Judgment; Memorandum in Support of Motions; Affidavit of Plaintiff; Notice of Motion, filed April 4, 1975;	19 - 31
"HN" - p.7		8. Return of Service, filed April 9, 1975;	32
		9. Motion to Dismiss Amended Complaint, Return to Motion for Summary Judgment, Exhibit A, Memorandum in Support of Motion and Return to Motion for Summary Judgment and Notice of Motion, filed April 11, 1975;	33 - 43
		10. Memorandum in Opposition to Defendants' Motion to Dismiss Amended Complaint, etc.; Exhibit to Support Memorandum; Affidavit of Plaintiff, filed April 15, 1975;	44 - 58
		11. Return of Service, filed April 17,	59
		12. Additional Exhibit for Memorandum of April 15, 1975, filed April 17, 1975;	60 - 72
		13. Letter from William L. Fleming to The Honorable Norito Kawakami, dated May 5, 1975, filed May 7, 1975;	73 - 74
		14. Order Dismissing Amended Complaint, filed May 7, 1975;	75
		15. Motion to Strike Order Dismissing Amended Complaint; Motion to Amend Complaint for Summary Judgment; Memorandum Exhibits, and Arguments; Affidavit of Plaintiff; Notice of Motion, filed May 7, 1975;	76 - 96

<u>Designation of Contents of Record on Appeal</u>		<u>Page No.</u>
HSC	16. Return of Service, filed May 8, 1975;	97
	17. Motion to Amend Motion to Strike Order Dismissing Plaintiff's Complaint; Exhibit "B" in Support of Motion; Affidavit of Plaintiff; Notice of Motion, filed June 9, 1975;	98 - 103
	18. Return of Service, filed June 10, 1975;	104
	19. Judgment, filed June 16, 1975;	105
	20. Notice of Entry of Judgment, filed June 16, 1975;	106
	21. Notice of Appeal; Designation of Record on Appeal, filed July 7, 1975;	107 - 108
	22. Request for Transcript of Proceedings for Record on Appeal, filed July 7, 1975;	109
	23. Record on Appeal, filed in Supreme Court August 12, 1975, received August 12, 1975;	110 - 115
HSC	Aug. 26, 1975 - Certificate of Recusal (Bert T. Kobayashi)	HSC 8- 9
	Oct. 1, 1976 - Certificate of Recusal (H. B. Kidwell)	HSC 10- 11
	Oct. 8, 1975 - Stipulation extending time (20 Oct '75)	HSC 12- 13
	Oct. 20, 1975 - Plaintiff-appellant's opening brief	HSC 14-218
	Nov. 14, 1975 - Assignment of Substitute Justice (Chang for Kidwell)	HSC 219
	Nov. 26, 1975 - Motion to amend pleadings for inadvertent neglect	HSC 220-221
	Dec. 5, 1975 - Motion to consolidate appeals against conspiracy for prejudiced persecution by malicious abuse of judicial process for deprivation of income and legal rights for plaintiff-appellant; motion for judgement on the pleadings; memorandums of points and authorities; affidavit of plaintiff-appellant	HSC 222-238
	Dec. 12, 1975 - Motion to dismiss . . .	HSC 239-247
	Dec. 22, 1975 - Objection to motion to dismiss	HSC 248-255

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
P/V xxx Appellant's "Request for Entry of Default; Entry of default; Affidavit of Plaintiff;" appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults; presented on dec. 16, 1975.	(HSC)
PV xxx Appellant's "Motion for Judgment on the Pleadings for Plaintiff-appellant Pro Se; Memorandum of Law in Support of Motion; Affidavit of plaintiff-appellant pro se; was refused filing by the clerks or court dated dec. 22, 1975. Letter to the Justices for approval for filing. dated dec. 23, 1975, was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801	(HSC)
PV xxx Appellant's "Motion to amend for excusable inadvertent neglect", dated dec. 11, 1975, was refused filing by the clerks or court who returned the pleadings on 1/7/76.	(HSC)
PV xxx Unfiled, "MOTION FOR JUDGMENT ON THE PLEADINGS FOR PLAINTIFF APPELLANT PRO SE; MEMORANDUMS OF LAW IN SUPPORT OF MOTION; AFFIDAVIT OF PLAINTIFF APPELLANT PRO SE", presented Dec. 22 1975, but refused filing by the clerks, who earlier refused to file Appellant's "MOTION FOR ENTRY OF DEFAULT; ENTRY OF DEFECT etc. presented on December 16, 1975 and refused filing by the HSC clerks. Letter, dated Dec. 23 1975 w-s ignored by the Justices for Approval & filing on the Dec. 22, "Motion".	(HSC)
HSC Jan. 12, 1976 - Order denying motion to consolidate appeals	HSC 256-257
Jan. 13, 1976 - Order granting motion to amend pleadings	HSC 258-259
Jan. 21, 1976 - Objection to order of Jan. 12, 1976, etc.	HSC 260-266
Jan. 21, 1976 - Motion for amendment of exhibits, etc.	HSC 267-276
Jan. 22, 1976 - Exhibit "A" for Motion for amendment filed, Jan. 21, 1976	HSC 277-279
Feb. 13, 1976 - Order - Denying Motion for amendment of exhibits for restitution	HSC 280-281
Feb. 13, 1976 - Order denying motion for reconsideration	HSC 282-283
PV (HSC) Appellant's objection to orders of Feb. 13, 1976, etc., denied filing by the clerks and court. Certified mail receipts to appellees. #480968.	

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>
HSC Mar. 2, 1976 - Notice of setting case for argument/	HSC 284
HSC Mar. 4, 1976 - Receipt for notice of setting case for argument (Yee)	HSC 285-2
HSC Appellant's letter acknowledging receipt of Notice, dated Mar. 4, 1976	
HSC Mar. 5, 1976 - Receipt for notice of setting case for argument (defendants) Mar. 5, 1976 - Assignment to substitute justice Mar. 19, 1976 - Letter dated Mar. 19, 1976 from J. C. Yee re: copy of transcript	HSC 290 HSC 291 HSC 292
PV(HS) Appellant's "Amendment of Opening Brief" to notify 'ALL members of Hawaii's Bar Association not involved in the conspiracy' to sign an affidavit under oath", refused filing by the clerks of the HSC on Mar. 23, 1976.	
HSC Apr. 1, 1976 - Letter dated Apr. 1, 1976 from Deputy Clerk re: copy of transcript	HSC 293
Apr. 2, 1976 - Order granting appellees' motion to dismiss appeal	HSC 294-295
HSC Order, filed Apr. 2, 1976, dismissing appeal, affirming the trial court's dismissal.	
HSC Apr. 2, 1976 - Receipt of copy of order (Motion to dismiss granted)	HSC 296
HSC Receipt for exhibits, etc. returned this date	HSC 297-301
HCC 24. Order, filed in Supreme Court Apr. 2, 1976, received Apr. 2, 1976.	HCC 116 - 117
HCC 25. Receipt for Exhibits, etc. returned to First Circuit Court, filed Apr. 20, 1976	HCC 118 - 122
VSSC "Petition for Writ of Cease and Desist filed Apr. 7, 1976, in U.S.S.C., including "PETITION" "REHEARING"	VSSC
VSSC Denied October 4, 1976. Last letter attesting fact, December 10, 1976.	VSSC
HSC Appellant's letter requesting nothing be scheduled from May 3 - May 20, 1976, dated May 3, 1976.	HSC
HCC 26. Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20; Memorandum of Law, Arguments, and Exhibits, in Support of Motion; More Comprehensive Affidavit Filed in Hawaii Supreme Court, filed February 14, 1977;	HCC 123 - 191

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No</u>
HCC 27. Stipulation for Motion to Reopen and Consolidate Cases Titled, According to Hawaii Revised Statutes, Chapter 657-20; Filed February 14, 1977; Approved and Ordered for Stipulated Cases, filed February 16, 1977;	HCC 192 - 193
28. Notice of Motion, filed February 18, 1977;	194
29. Additional Memorandums of Law in Support of "Motion to Reopen and Consolidate Cases Titled", etc., Filed February 14, 1975, filed February 24, 1977;	195 - 196
FV Letter from attorney Wm. L. Fleming for . . . and Koshiba . . . Civ. 44262 re: stipulation to plaintiff pro se.	(HSC)
HCC Hearing Mar 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong	HCC
HCC Request for transcript of hearing of Mar. 1, 1977.	HCC
HCC 30. Order Denying Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20, filed March 7, 1977;	HCC 197 - 198
31. Notice of Appeal; Designation of Record on Appeal, filed March 7, 1977;	199 - 201
32. Request for Transcript of Proceedings for Record on Appeal, filed March 7, 1977;	202
33. Certificate of Service, filed March 7, 1977;	203
34. Amended Request for Transcript of Proceedings for Record on Appeal, filed April 5, 1977;	204
35. Amendment of Complaints, Filed April 4, 1975, filed April 11, 1977;	205 - 206
P/V (HSC) Appellant's letter to hawaii supreme court justices to include "confidential" appendix "x", dated June 16 appendi x 7th presented and not filed by clerks or court, dated June 20 appellant's additional appendix P/P filed June 24, 1977.	
"KHSBA" - p.5	

	<u>Description of Content of Record on Appeal</u>	<u>Page No.</u>		<u>Description of Content of Record on Appeal</u>	<u>Page No.</u>
HSC	Letter from Chief Justice Richardson's office denying inclusion of appendix "tax" (2) allowing amendment of opening brief and (3) denying filing of additional appendix 7th.	HSC	HSC	Appellees' Motion for Dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees Judge Betty Vitousek, et al and/or Judge Norito Kawakami, and/or defendants-appellees Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed August 3, 1977.	HSC
HSC	Appellant's Amendment of Plaintiff Appellant Pro Se's opening Brief, affied June 29, 1977.	HSC	HSC	"Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the alternative, motion for summary judgement for Appellant Pro Se, Janice Ching Yee; memorandums of law, arguments, in support of motions, whereof exhibit V was deleted by clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.	HSC
HSC	Order denying "financial Relief" as pled in appendix P.P., filed June 29, 1977.	HSC	HSC	HSC Appellees attorney Edward Delapape Boyle for Robert G. Hogan, et al, Harold Nickelsen, et al; and James E. Koshiba and/or the HSSA, motioned for "Motion for dismissal; memorandum in support of motion; and certificate of service, filed Aug. 16, 1977, day after answering brief was due.	HSC
PV(HSC)	Appellant's Motion for Relief of Order filed June 29, 1977; memorandums of law and arguments; certificate of service dated June 30, 1977 was refused filing by the clerks and the court, dated July 6, 1977.	HSC	HSC	HSC "APPELLANT'S MOTION TO STRIKE APPELLEES' ILLEGAL MOTION FOR DISMISSAL; AND/OR, IN THE ALTERNATIVE, MOTION FOR SUMMARY JUDGMENT FOR APPELLANT PRO SE JOY" dated Saturday Sept. 3, 1977, Labor Day weekend; filed September 6, 1977, Monday. (v. Chun, et al)	HSC
PV(HSC)	Letter to the Justices Notifying of unfiled Motions and Letters for Approval of filing of unfiled motion. dated July 7, 1977. certified receipts to Chang #915069 Kobayashi 915053, Ogata 915054, Menor 915051 and Richardson #915050, who secretary refused to pick it up from the post office, so it was returned unopened.	HSC	HSC	HSC Appellees' "MOTION TO DISMISS APPEAL", filed Sept. 6, 1977.	HSC
HSC	Letter to the court and/or the attorneys of appellees, about appellant's permission to save appellant's good intention to copyright appellant's pleadings, dated July 11	HSC	HSC	HSC "AMENDMENT OF APPELLANT'S MOTION TO STRIKE APPELLEES' ILLEGAL MOTION", filed Sept. 7, 1977. (v. Chun, et al)	HSC
HSC	Letter from clerk Clement Chun, returning fly sheet and denying help.	HSC	HSC	PV(HSC) Appellant's "AMENDMENT FOR INADVERTENT OMISSION AND NEGLECT", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.	HSC
PV(HSC)	Appellant's "Amendment for Plaintiff Appellant Pro Se's opening Brief; certificate of service attached; for legal perfeccion of cover of opening brief, dated July 16, 1977, was refused filing by the clerks and the court on July 29, 1977.	HSC	HSC	HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.	HSC
HSC	Letter from Chief Justice Richardson denying approval of filing for injunction for relief of order, filed June 27, 1977, dated June 30, 1977 (2) "Motion to amend opening brief to include additional questions, points of error and arguments for appellant, dated July 5, 1977"; and (3) "Amendment for Plaintiff Appellant pro se's opening brief, dated July 8, 1977; all of which was filed July 25, 1977.	HSC	HSC	"KHSBA" - p.7	
PV(HSC)	Objection to denial for filing of proper Motions and Amendments" presented July 29, 1977, and denied filing by the clerks and the court.	HSC	HSC		

Designation . . .

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- N (HSC) "ADDITIONAL APPENDIX "NDI" AS PERTINENT EVIDENCE OF APPELLANT PRO SE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBA+ MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished," even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.  
 HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m.  
 Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al., and/or Adams et al.; &/or, Hogan, et al.; Nickelsen, et al.; Koshiba and/or the Hawaii Bar Association; &/or Chun, et al.  
 HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.  
 HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.  
 N (HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Amemiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).  
 HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.

Designation of Content of Record on Appeal

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HAWAII CIRCUIT COURT  
Civil No. 44578 - Yee v. Franklin

1. Complaint; Summons, filed March 17, 1975; 1 - 176  
 2. Return of Service, filed March 25, 1975; 177  
 3. Motion to Dismiss and Alternative Motion to Strike, Memorandum in Support of Motion and Notice of Motion, filed April 7, 1975; 178 - 186  
 4. Motion to Amend Complaint; Motion to Strike Defendants' Motion to Dismiss or Strike; Motion for Summary Judgment; Memorandums; Affidavit of Plaintiff; Notice of Motion, filed April 17, 1975; 187 - 211  
 5. Return of Service, filed April 18, 1975; 212  
 6. Letter from Max Nakata Garcia to Honorable Norito Kawakami, dated May 1, 1975, filed May 5, 1975; 213  
 7. Order Granting Motion to Dismiss Without Leave to Amend and Denying Motion to Amend Complaint, filed May 5, 1975; 214  
 8. Notice of Entry of Order, filed May 5, 1975; 215  
 9. Motion to Strike Order to Dismiss Motion to Amend Complaint Without Leave to Amend; Motion to Amend Complaint for Summary Judgment; Affidavit of Plaintiff; Notice of Motions, filed May 6, 1975; 216 - 233  
 10. Return of Service, filed May 6, 1975; 234  
 11. Additional Exhibits for Motions Filed May 6, 1975; Affidavit of Plaintiff, filed June 3, 1975; 235 - 240  
 12. Return of Service, filed June 3, 1975; 241  
 13. Notice of Appeal; Designation of Record of Appeal, filed June 16, 1975; 242 - 243  
 14. Request for Transcript of Proceedings for Record on Appeal, filed June 19, 1975; 244  
 15. Request for Transcript of Proceedings for Record on Appeal, filed June 19, 1975; 245

<u>Designation of Content of Record on Appeal</u>	<u>Page No.</u>	<u>Designation . . .</u>	<u>Page No.</u>
HSC 16. Letter from Mex Nakata Garcia to Honorable Norito Kawahara, dated July 14, 1975, filed July 18, 1975;	246 - 248	HSC	Filed Nov. 26, 1975, Notice of Hearing amended Dec. 5, at 10 a.m., hearing, Dec. 5, at 10 a.m. NSC
17. Order Denying Motion to Strike Order to Dismiss Motion to Amend Complaint Without Leave to Amend and Motion to Amend Complaint for Summary Judgment, filed July 18, 1975;	249	HSC	Dec. 5, 1975 - Motion to consolidate appeals . . HSC 142-158
18. Record on Appeal, filed in Supreme Court July 21, 1975, received July 22, 1975;	250 - 254	PV (HSC)	Appellant's "Request for Entry of Default; Entry of default; Affidavit of Plaintiff pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented on dec. 16, 1975. (HSC)
HSC Sept. 19, 1975 - Plaintiff-Appellant's opening brief	HSC 7-75	PV(HSC)	Appellant's "Motion for Judgment on the Pleadings for Plaintiff appellant Pro Se; Memorandums of Law in Support of Motion; Affidavit of Plaintiff-appellant pro se; was refused filing by the clerks or court dated dec. 22, 1975. Letter to the Justices for approval for filing, dated dec. 23, 1975 was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801
Sept. 22, 1975 - Additional exhibits forgotten for plaintiff-appellant's opening brief	HSC 76-97	HSC	Dec. 20, 1975 - ORDER
Oct. 1, 1975 - Certificate of recusal (H. B. Kidwell)	HSC 98-99		NSC 159-161
Oct. 20, 1975 - Motion to amend opening brief for plaintiff-appellant	HSC 100-103	PV(HSC)	Motion for judgement on the pleadings for plaintiff-appellant pro se, memorandums of law in support of motion, affidavit of plaintiff-appellant, pro se, denied filing by court on Dec. 22, 1975, letter Dec. 23 denied. Certified receipt #460799 to defendants
HSC --Appellant's additional exhibits forgotten for plaintiff-appellant's opening brief for No. 5949, filed Sept. 22, 1975	HSC	HSC	-Order dismissing appeal and affirming trial court's judgement, filed Dec. 30, 1975
HSC Nov. 14, 1975 - Assignment of substitute justice (Chang for Kidwell)	HSC 104	HSC	Dec. 31, 1975 - Receipt for copy of order (appeal dismissed)
HSC --Order granting motion to amend opening brief, save and except paragraph 2(b) is denied, filed Nov. 17, 1975	HSC	HSC	Jan. 5, 1976 - Petition for rehearing
HSC Nov. 17, 1975 - Motion to dismiss and alternative motion to affirm and memorandum in support of motion	(105-106) HSC 107-122	PV (HSC)	Appellant's motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975 was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.
Nov. 18, 1975 - Notice of setting case for argument	HSC 123	HSC	Order, filed in Supreme Court Dec. 30, 1975, received Jan. 6, 1976
Nov. 24, 1975 - Motion for order extending time (Dec. 1, 1975) for appellant's objection	HSC 124-125	HSC	Jan. 12, 1976 - Order denying petition for rehearing
Nov. 25, 1975 - Receipt for notice of setting case for argument	HSC 126		Jan. 12, 1976 - Order denying motion to consolidate appeals
HSC -Appellant's letter acknowledging receipt of notice, dated Nov. 25, 1975			"BAF" - p.3
HSC Nov. 26, 1975 - Amended notice of setting case for argument	HSC 127		
Nov. 28, 1975 - Motion to strike defendants motion to dismiss and alternative motion to affirm; motion to amend opening brief; motion for judgement, memorandums in support of motion	HSC 128-141		

<u>Designation . . .</u>	<u>Page No.</u>	<u>Designation . . .</u>	<u>Page No.</u>
HSC Jan. 21, 1975 - Objection to order of Jan. 12, 1976, etc.	HSC 180-186	HSC	HSC
HCC 20. Receipt for exhibits, etc. returned to First Circuit Court, filed Jan. 14, 1976	HCC	HSC Dec. 5, 1975 - Motion to consolidate appeals . .	HSC 142-158
PV(HSC) Appellant's Motion for new trial and/or in the alternative motion for relief from order of Jan. 12, 1976, denying petition to re-hearing; memorandums, arguments, and exhibit in support of motion; affidavit of plaintiff-appellant pro se, was not accepted for filing, and letter to the justices was ignored, dated Jan. 21, 1976, and Jan. 22, 1976.	(HSC)	PV(HSC) Appellant's "Request for Entry of Default; Entry of default; Affidavit of Plaintiff-appellant pro se; was not accepted for filing by the clerks who said the HSC does not consider defaults, presented on dec. 16, 1975.	(HSC)
HSC Feb. 13, 1976 - Order denying appellant's motion for reconsideration	HSC 187-188	PV(HSC) Appellant's "Motion for Judgment on the Pleadings for Plaintiff applicant Pro Se; Memorandums of Law in Support of Motion; Affidavit of Plaintiff-appellant pro se; was refused filing by the clerks or court dated dec. 22, 1975. Letter to the Justices for approval for filing, dated dec. 23, 1975 was ignored. Certified mail receipts 460798, 460800, 460799, 460797, 460801	(HSC)
HSC Order denying Motion for amendment of exhibits filed Feb. 13, 1976	HSC	HSC Dec. 20, 1975 - ORDER	HSC 159-161
PV(HSC) Appellant's Objection to orders of Feb. 13, 1976, etc. denied filing by the clerks and court. Certified mail receipts to appellees.....Franklin #480964 . . .	(HSC)	PV(HSC) Motion for judgement on the pleadings for plaintiff-appellant pro se, memorandums of law in support of motion, affidavit of plaintiff-appellant, pro se, denied filing by court on Dec. 22, #4925, letter Dec. 23 denied. Certified receipt #460799 to defendants	(HSC)
HSC Mar. 19, 1976 - Letter dated Mar. 19, 1976 from J. C. Yee re: copy of transcript	HSC 189	HSC	HSC
Apr. 1, 1976 - Letter dated 4/1/76 from Deputy Clerk re: copy of transcript	HSC 190	PV(HSC) -Order dismissing appeal and affirming trial court's judgement, filed Dec. 30, 1975	(HSC)
HSC Appellant's letter to the court notifying of a week's vacation, dated May 3, 1976.		HSC Dec. 31, 1975 - Receipt for copy of order (appeal dismissed)	HSC 162
VSC "PETITION for Writ of CERTIORARI", filed Apr. 7, 1976.	VSC	HSC Jan. 5, 1976 - Petition for rehearing	HSC 163-171
HSC June 4, 1976 - Letter from U.S. Supreme Court transmitting order denying petition for Writ of Certiorari	HSC 191	PV(HSC) Appellant's motion to amend for excusable inadvertent neglect" dated Dec. 11, 1975 was refused filing by the clerks or court who returned the pleadings on Jan. 7, 1976.	(HSC)
VSC June 7, 1976 - Order denying petition for Writ of Certiorari	HSC 192	HCC 19. Order, filed in Supreme Court Dec. 30, 1975, received Jan. 6, 1976	HCC 255 - 257
VSC Denied Oct. 4, 1976, re: Rehearing Oct. 12, 1976 - Letter from Supreme Court of the United States re: Petition for rehearing denied	VSC	HSC Jan. 12, 1976 - Order denying petition for rehearing	HSC 172-173
HCC 21. Motion to Reopen and Consolidate Cases Titled, According to HSC, Chapter 657-70; Memorandum of Law, Arguments, and Exhibits, in Support of Motion; More Comprehensive Affidavit Filed in Hawaii Supreme Court, filed February 14, 1977;	HCC 262 - 330	JAN. 12, 1976 - Order denying motion to consolidate appeals	HSC 174-175

<u>Designation . . .</u>	Page No.
HSC Jan. 21, 1975 - Objection to order of Jan. 12, 1976, etc.	HSC 180-186
HCC 20. Receipt for exhibits, etc. returned to First Circuit Court, filed Jan. 14, 1976	HCC
PV(HSC) Appellant's Motion for new trial and/or in the alternative motion for relief from order of Jan. 12, 1976, denying petition to re-hearing; memorandums, arguments, and exhibit in support of motion; affidavit of plaintiff-appellant pro se, was not accepted for filing, and letter to the justices was ignored, dated Jan. 21, 1976, and Jan. 22, 1976.	
HSC Feb. 13, 1976 - Order denying appellant's motion for reconsideration	HSC 187-188
HSC Order denying Motion for amendment of exhibits filed Feb. 13, 1976	HSC
PV(HSC) Appellant's Objection to orders of Feb. 13, 1976, etc. denied filing by the clerks and court. Certified mail receipts to appellees.....Franklin #480964 . . .	(HSC)
HSC Mar. 19, 1976 - Letter dated Mar. 19, 1976 from J. C. Yee re: copy of transcript	HSC 189
Apr. 1, 1976 - Letter dated 4/1/76 from Deputy Clerk re: copy of transcript	HSC 190
HSC Appellant's letter to the court notifying of a week's vacation, dated May 3, 1976.	
VSSE "PETITION FOR WRIT OF CERTIORARI", filed Apr. 7, 1976.	VSSE
HSC June 4, 1976 - Letter from U.S. Supreme Court transmitting order denying petition for Writ of Certiorari	HSC 191
June 7, 1976 - Order denying petition for Writ of Certiorari	HSC 192
VSSE Denied Oct. 4, 1976, re: Rehearing Oct. 12, 1976 - Letter from Supreme Court of the United States re: Petition for rehearing denied	VSSE
HCC 21. Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20; Memorandum of Law, Arguments, and Exhibits, in Support of Motion; More Exhibits, in Support of Motion; More Comprehensive Affidavit Filed in Hawaii Supreme Court, filed February 14, 1977;	HCC 262 - 330

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<u>Designation . . .</u>	Page No.
HCC 22. Stipulation for Motion to Reopen and Consolidate Cases Titled, According to Hawaii Revised Statutes, Chapter 657-20, Filed February 14, 1977, Approved and Ordered for Stipulated Cases, filed February 16, 1977;	HCC 331 - 332
23. Additional Memorandums of Law in Support of "Motion to Reopen and Consolidate Cases Titled", etc., Filed February 14, 1977, filed February 24, 1977;	HCC 333 - 334
HCC -Hearing Mar. 1, 1977 in Circuit Court of Hawaii - Judge Arthur Fong.	HCC
HCC -Request for transcript of hearing of Mar. 1, 1977	HCC
HCC 24. Order Denying Motion to Reopen and Consolidate Cases Titled, According to HRS, Chapter 657-20, filed March 7, 1977;	HCC 335 - 336
HCC 25. Notice of Appeal; Designation of Record on Appeal, filed March 7, 1977;	HCC 337 - 338
HCC 26. Certificate of Service, filed March 7, 1977;	340
HCC 27. Amended Request for Transcript of Proceedings for Record on Appeal, filed April 5, 1977;	341
HCC 28. Amendment of Complaints, Filed March 17, 1976, filed April 11, 1977;	342 - 343
HSC Record on appeal.	HSC
HSC Court's Notice of entering case on calendar, dated April 18, 1977.	HSC
HSC Plaintiff-Appellant Pro Se Janice Ching Vee's Opening Brief for "Appeal to Reopen and Consolidate Cases Titled" filed in Hawaii Supreme Court June 16, 1977.	HSC
PV(HSC) Appellant's letter to Hawaii Supreme Court Justices to include "Confidential" and Appendix "Fax", dated June 16, 1977.	
PV(HSC) "Appendix 7th" presented and not filed by clerks or court, dated June 20, 1977.	
HSC Appellant's additional appendix P.P. filed June 24, 1977.	HSC

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<u>Designation of Contents of Record on Appeal</u>	<u>Page No.</u>	<u>Designation . . .</u>	<u>Page No.</u>
HSC Letter from Chief Justice Richardson's office, (1) denying inclusion of appendix "tax", (2) allowing amendment of opening brief and (3) denying filing of additional "Appendix 7th."	HSC	HSC Letter from Chief Justice Richardson, denying approval of filing for (1) "Motion for relief of order, filed Jun 29, 1977, dated June 30, 1977" (2) "Motion to Amend Opening Brief to include Additional Questions, Points of Error and Arguments for Appellant, dated July 5, 1977"; and (3) "Amendment for Plaintiff-Appellant Pro Se's Opening Brief, dated July 18, 1977; all of which was denied July 25, 1977.	HSC
HSC Appellant's "Amendment" of plaintiff-appellant pro se's "Opening Brief" dated June 29, 1977 and filed June 29, 1977, after court considered.	HSC	PV(HSC) Appellant's "Objection to Denial" for filing of proper motions and amendments, presented July 29, 1977, and denied filing by the clerks and the court.	
HSC Order denying financial relief as pled in Appendix P.P., filed June 29, 1977.	HSC	HSC Appellees' Motion for Dismissal; statement of reasons in support of motion for dismissal; and certificate of service for defendants-appellees Judge Betty Vitousek, et al and/or Judge Norito Kawakami; and/or defendants-appellees Gerry Nagahisa, et al, and/or Dr. Betty Adams, et al, filed August 3, 1977.	HSC
PV(HSC) Appellant's motion to amend opening brief to include additional questions, points or error, and arguments for appellant; memorandums and arguments; certificate of service, was refused filing by the clerk and the Court dated July 5, 1977.		HSC "Appellant's Motion to Strike Motion for Dismissal by Appellees; and/or, in the alternative, motion for summary judgement for Appellant Pro Se, Janice Ching Yee; memorandums of law, arguments, in support of motions, whereof exhibit V was deleted by clerk Chun or he wouldn't file the motion, filed Aug. 8, 1977.	HSC
PV(HSC) Appellant's "Motion for Relief of Order" filed June 29, 1977; memorandums of law and arguments; certificate of service dated June 30, 1977, was refused filing by the clerks and the court, after July 6, 1977.		HSC Appellees attorney Edward Delappe Boyle for Robert G. Hogan, et al, Harold Nickelsen, et al; and James E. Koshiba and/or the HSSA, motioned for "Motion for dismissal; memorandum in support of motion; and certificate of service, filed Aug. 16, 1977, day after answering brief was due.	HSC
PV(HSC) Letter to the Justices notifying of unfiled motions and letters for approval of filing of unfiled motions, dated July 7, 1977. Certified receipts to Chang #15069, Kobayashi #15061, Ogata #15054, Menor #15051 and Richardson #15050, whose secretary refused to pick it up from the post office, so it was returned unopened.		PV(HSC) Request for Entry for Default; Entry for Default; verified affidavit of plaintiff-appellant pro se; certificate of service; exhibits; was refused filing by clerk Clement Chun, also refusing to submit for consideration by the court. Notarized by Notary Philip Hirano, dated Aug. 22, 1977.	
PV(HSC) Letter to the Court and/or the attorneys of Appellees, about Appellant's permission to save Appellant's good intention to Copyright Appellant's pleadings, dated July 11, 1977.		HSC Court's Letter to Attorney Garcia of Defendant-Appellee Robert A. Franklin's Default; dated August 22, 1977.	HSC
HSC Letter from Clerk Clement Chun, returning "fly sheet" and denying help.	HSC	HSC Appellant's "AMENDMENT FOR INADVERTENT OMISSION AND NEGLIGENCE", presented October 3, 1977, for updating Title of the Hawaii State Bar Association, refused filing by the clerks or court.	HSC
PV(HSC) Appellant's Amendment for Plaintiff-Appellant Pro Se's Opening Brief; certificate of service attached for legal replacement of cover of opening brief, dated July 18, 1977, was refused filing by the clerks and the court on July 29, 1977, after permission granted by Chief Justice Richardson.		"BAF" - p.6	"BAF" - p.7

Designation

- HSC APPELLANT'S "MOTION FOR ADVANCEMENT OF CASE HSC#6529 ON THE COURT CALENDAR, filed Oct. 4, 1977.
- PN (HSC) "ADDITIONAL APPENDIX "WDI" AS PERTINENT EVIDENCE OF APPELLANT PRO BE's CAPABILITY, UNFILED, THROUGH NEGLIGENCE BY HSBA+ MEMBER DAVID INGMAN", presented Nov. 18, 1977, was refused filing by the Clerks, "because case #5930 is finished" even after told it was part and parcel of the present case HSC#6529, then, and was "pertinent for just adjudication" for Appellant, who was then notified of Dismissals, and notified the Court of intention to APPEAL.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:23 a.m. Rec: Nov. 18, 1977, afternoon by Appellant, against Appellees: Vitousek, Kawakami; &/or, Nagahisa, et al, and/or Adams et al; &/or, Hogan, et al; Nickelsen, et al Koshiba and/or the Hawaii Bar Association; &/or Chun, et
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:31 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees: Kokernak; &/or Franklin.
- HSC Order Dismissing Appeal, filed Nov. 17, 1977, at 11:44 a.m. Rec: Nov. 18, 1977 afternoon by Appellant, against Appellees A.A. Yee, et al.
- PN (HSC) Appellant's "MOTION FOR RELIEF OF ORDER, FILED NOV. 17, 1977", dated Nov. 21, 1977, was denied filing by the clerks; so a letter dated Nov. 21, 1977 was left for the Justices, for Approval for filing, which was ignored. Copies signed for by secretaries of Attorneys Garcia, Kanetake, Chun, and Chang &/or Azumiya. Certified mail receipts to Fleming (#561746) and McCorriston (#561745).
- HSC NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, Certificate of Service, filed Nov. 31, 1977, at 9:44 a.m.

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

JANICE CHING YEE, )  
Plaintiff, )  
vs. ) CIVIL NO. 44240  
ROBERT G. HOGAN and )  
HOGAN, ROTHNER, GRIMES & BYBEE, )  
attorneys, )  
Defendants. )  
\_\_\_\_\_  
JANICE CHING YEE, )  
Plaintiff, )  
vs. ) CIVIL NO. 44869  
STEPHONIE KOKERNAK, )  
Defendant. )  
\_\_\_\_\_  
JANICE CHING YEE, )  
Plaintiff, )  
vs. ) CIVIL NO. 44245  
EDWARD Y. C. CHUN and )  
CHIN KERR, AND DODD, )  
attorneys, )  
Defendants. )  
\_\_\_\_\_  
JANICE CHING YEE, )  
Plaintiff, )  
vs. ) CIVIL NO. 45123  
BETTY VITOUSEK, Judge, )  
and/or the FAMILY COURT OF )  
THE FIRST CIRCUIT OF THE )  
STATE OF HAWAII )  
and/or NORIYA KAWAKAMI, Judge )  
Defendants. )  
\_\_\_\_\_

\* inadvertent error by clerk

JANICE CHING YEE,

Plaintiff,

vs.

CERRY NAKAMURA, seasonal worker,  
&/or the ADULT SERVICE DIVISION  
OF THE STATE OF HAWAII'S  
FAMILY COURT OF THE FIRST  
CIRCUIT, and/or MELVYN ARNOLD,  
psychiatrist, &/or the DEPART-  
MENT OF HEALTH OF THE STATE  
OF HAWAII,

Defendants.

) CIVIL NO. 44263

JANICE CHING YEE,

Plaintiff,

vs.

HAROLD NICKELSON,  
and/or CONROY, HAMILTON, GIBSON,  
NICKELSON, AND RUSH,

Defendants.

) CIVIL NO. 44244

JANICE CHING YEE,

Plaintiff,

vs.

JAMES E. KOSHIBA, and/or THE  
HAWAII BAR ASSOCIATION,

Defendants.

) CIVIL NO. 44262

JANICE CHING YEE,

Plaintiff,

vs.

ROBERT FERRELL,

Defendant.

) CIVIL NO. 44578

JANICE CHING YEE,

Plaintiff,

vs.

MATTHEW MELVIN YEE, YEE & ASSOCIATES,

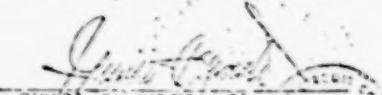
Defendants.

) CIVIL NO. 44282

CIRCUIT COURT CLERK'S CERTIFICATE

I, GUNJI ISUMOTO, Clerk of the Circuit Court of  
the First Circuit, State of Hawaii, do hereby certify that  
all documents and items, as listed in the foregoing index  
to the Record on Appeal, are originals thereof as filed  
and entered of record on the above-captioned proceeding;  
and that they are attached hereto and made a part hereof.

IN WITNESS WHEREOF, I have hereunto set my hand  
and the seal of this Court this 18th day of April, 1977.

  
GUNJI ISUMOTO, Clerk  
Circuit Court, First Circuit  
State of Hawaii  
